

REGULATING DESTRUCTION:  
THE POLITICS OF MULTILATERAL WEAPONS GOVERNANCE

A Dissertation

Presented to the Faculty of the Graduate School  
of Cornell University

In Partial Fulfillment of the Requirements for the Degree of  
Doctor of Philosophy

by

Naomi Pauline Egel

August 2022

© 2022 Naomi Pauline Egel

REGULATING DESTRUCTION:  
THE POLITICS OF MULTILATERAL WEAPONS GOVERNANCE

Naomi Pauline Egel, Ph. D.

Cornell University 2022

This dissertation examines why and how states pursue multilateral agreements to govern weapons, and how their purpose in doing so shapes the process and outcome of agreements. Weapons governance is a particularly challenging form of international cooperation, as it requires countries to place limits on the tools they use to ensure their security. This research emphasizes the importance of multilateral governance in sustaining or challenging relations between states in world politics.

In this dissertation, I make a distinction between two types of states—great powers and small/medium states—and contend that they pursue multilateral weapons governance for different geopolitical purposes, given their different positions in world politics. Specifically, great powers pursue multilateral weapons governance to preserve their status quo dominance and to prevent other actors from threatening their dominance or contesting the status quo. Small and medium states, on the other hand, pursue multilateral weapons governance to reduce their vulnerability to great powers and to exercise greater agency and influence in international politics. These distinct purposes in turn shape how states pursue an agreement, including how they frame the issue, build support, the institutional format they choose for negotiations, and the content of the agreement. When both types of states seek to govern a particular type of weapon, the tension and conflict between their objectives limits each's ability to translate their objectives into a final agreement.

To analyze these dynamics, I draw on elite interviews conducted in Geneva, Switzerland with diplomats, international bureaucrats, and members of civil society; multiple archival sources; and an original dataset I developed of multilateral weapons governance agreements. Using descriptive statistics and quantitative text analysis, I first assess patterns in the content of agreements including the type of weapon governed, the type of regulation involved, and the legal status of the agreement. I then compare three case studies: the 1968 Treaty on the Non-Proliferation of Nuclear Weapons (led by great powers), the 2017 Treaty on the Prohibition of Nuclear Weapons (led by small and medium states), and the 1980 Convention on Certain Conventional Weapons (as a middle case).

## BIOGRAPHICAL SKETCH

Naomi Egel is a PhD candidate in the Government Department at Cornell University. She has been a Hans J. Morgenthau (nonresident) fellow at the University of Notre Dame, a visiting fellow at the Graduate Institute of International and Development Studies (IHEID), and the inaugural Janne Nolan Nuclear Security Visiting Fellow at the Truman Center for National Policy. She holds a MA from Cornell University and a BA from the University of California, Berkeley. In 2022-2023, she will be a MacArthur Nuclear Security Postdoctoral Fellow at Stanford University's Center for International Security and Cooperation (CISAC). Beginning in 2023, she will be an Assistant Professor of International Affairs at the University of Georgia.

## ACKNOWLEDGMENTS

I was fortunate to spend six years surrounded by extraordinary scholars from whom I learned so much. Thank you to Peter Katzenstein and Matt Evangelista for exceptional guidance throughout the dissertation process, and for helping me develop and articulate my ideas. Their advice has been fundamental to my growth as a scholar. Thank you also to Sarah Kreps for thoughtful feedback, encouragement, and helping me identify different implications of this research. All dissertation writers should be so fortunate to have a committee that helps them develop the best possible version of their project, while always staying true to its core. At the same time, they modeled the professionalism, kindness, and generosity that I can only attempt to pay forward.

I benefited tremendously from the insights of Alex Dyzenhaus, Cameron Mailhot, Nina Obermeier, and Lindsey Pruett, friends and colleagues who read (and re-read) many versions of this project. I also thank Oumar Ba, Adam Bower, Judith Reppy, Steven Ward, and Chris Way for their insightful feedback on various stages of this dissertation. Thanks also to Stephanie Hofmann, Ezgi Yildiz, Erna Burai, Ueli Staeger, and Moritz Neubert at the Graduate Institute of International and Development Studies for providing an intellectual home during fieldwork and helping me think about this project in new and different ways.

I thank the many unnamed individuals I interviewed for this dissertation for generously sharing their time and insights with me. In addition, I thank Lia Sokol for translation assistance. I also thank the US Fulbright Student Program, the Swiss Confederation, the Reppy Institute for Peace and Conflict Studies at Cornell, the Cornell Institute for European Studies, and the Qualitative and Multi-Method Research Center at Cornell for their financial support at various stages.

Finally, I thank my family for their unwavering love, support, and reassurance

throughout the twists and turns of this project. The greatest thanks of all to Lincoln Hines, for constant support, love, and encouragement at every step.

## TABLE OF CONTENTS

Chapter 1: Introduction	1
Chapter 2: Multilateral Weapons Governance in International Relations	15
Chapter 3: Patterns in Multilateral Weapons Governance	63
Chapter 4: Preventing Nuclear Proliferation	101
Chapter 5: A Prohibition on Nuclear Weapons	148
Chapter 6: A Tug of War Over Conventional Weapons	196
Chapter 7: Conclusion	242

## LIST OF FIGURES

Figure 1: Multilateral Weapons Governance Agreements Over Time	71
Figure 2: Type of Weapon by Leadership	76
Figure 3: Type of Regulation by Leadership	77
Figure 4: Legally Binding Agreements by Leadership	79
Figure 5: Non-Nuclear Weapons Governance	81
Figure 6: Regulation of Non-Nuclear Weapons	81
Figure 7: Topical Contrast for Similar Topics	89
Figure 8: Expected Proportion of Topics in Agreements	91
Figure 9: Topics by Leadership	92

## LIST OF TABLES

Table 1: Purpose in Multilateral Weapons Governance	58
Table 2: Key Procedural Elements in Multilateral Weapons Governance	59
Table 3: Types of Weapons and Types of Regulation	75
Table 4: Twenty Most Common Words in Agreements	85
Table 5: Topics and Associated Words	88
Table 6: Topic Likelihood at Each Leadership Covariate	93
Table 7: Summary of Hypothesized Results	97

## LIST OF ABBREVIATIONS

CCW: Convention on Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

CDDH: Diplomatic Conference on International Humanitarian Law

CDU: Christian Democratic Union

ECOWAS: Economic Community of West African States

ENDC: Eighteen Nation Committee on Disarmament

IAEA: International Atomic Energy Agency

ICAN: International Campaign to Abolish Nuclear Weapons

ICRC: International Committee of the Red Cross

ICBM: Intercontinental Ballistic Missile

INF: Intermediate Range Nuclear Forces

LAWS: Lethal Autonomous Weapons Systems

LTBT: Limited Test Ban Treaty

MLF: Multilateral Force

NAM: Non-Aligned Movement

NATO: North Atlantic Treaty Organization

NGO: Non-Governmental Organization

NWS: Nuclear Weapon States

NNWS: Non-Nuclear Weapon States

NPT: Treaty on the Non-Proliferation of Nuclear Weapons

SDP: Social Democratic Party

STM: Structural Topic Model

TPNW: Treaty on the Prohibition of Nuclear Weapons

UN: United Nations

USSR: Union of Soviet Socialist Republics

WMD: Weapons of Mass Destruction.



## CHAPTER 1

### INTRODUCTION

#### *The Problem of Autonomous Weapons*

In November 2019, after years of negotiations, the 125 states parties to the Convention on Certain Conventional Weapons (CCW) agreed by consensus on a new set of eleven non-binding guiding principles for the development and use of lethal autonomous weapons systems (LAWS). These principles underscored that international humanitarian law applies to these so-called killer robots and emphasized the role of human responsibility for decisions on the use of weapons (i.e., that responsibility could not be transferred to an autonomous machine). Many states heralded these guiding principles as significant progress, and countries at the forefront of developing and integrating autonomy in their military operations (including the United States, France, and Russia) all endorsed these principles.

In agreeing to these principles, however, CCW member states also agreed to further consider and develop “aspects of the normative and operational framework on emerging technologies in the area of lethal autonomous weapons systems.”<sup>1</sup> This intentionally vague language did not chart a clear path forward for further governance of LAWS. Instead, it re-opened debates over the role of these weapons in states’ militaries, what kinds of threats autonomous weapons posed to different actors, and, ultimately, what rules were needed to limit the dangers posed by LAWS.

The United States, for example, emphasized how the guiding principles could help states “in the responsible development and use of emerging technologies” regarding autonomous weapons, but that “we must not prejudice future decisions

---

<sup>1</sup> 2019. Final report: Meeting of the High Contracting Parties to the Convention on Prohibitions or Restrictions on the use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects. CCW/MSP/2019/9.

regarding potential outcomes.”<sup>2</sup> Such statements advocated for implementing best practices at the national level, rather than imposing additional international restrictions, to apply these principles. In detailing its implementation of these principles at the national level, Russia claimed that LAWS “can significantly reduce the negative effects of the use of weapons in the context of [international humanitarian law]” and that the “high degree of military autonomy” in Russian military operations significantly contributes to compliance with international humanitarian law during hostilities.<sup>3</sup> Both of these statements emphasized that the key to regulating autonomous weapons would involve national-level coordination and policy adhering to existing international rules, rather than creating new international rules and obligations.

Although they agreed to the guiding principles, many smaller states were dissatisfied with this limited approach to regulation and called for the development of a new legally binding treaty to ban fully autonomous weapons. They saw an urgent need for new international rules governing LAWS. In 2018, Austria, Brazil, and Chile had already submitted a proposal for the CCW to mandate the negotiation of a legally binding treaty (as opposed to non-binding principles) to address the legal, humanitarian, and ethical concerns posed by LAWS.<sup>4</sup> Soon after, the approximately 68 countries comprising the Non-Aligned Movement in the CCW also called for new legally-binding provisions to address the humanitarian and international security

---

<sup>2</sup> USA. 2020. U.S. Commentaries on the Guiding Principles. 2020 CCW Group of Governmental Experts on Lethal Autonomous Weapon Systems; USA. 2020. Agenda item 5(b) Characterization of the systems under consideration in order to promote a common understanding on concepts and characteristics relevant to the objectives and purposes of the Convention. 2020 CCW Group of Governmental Experts on Lethal Autonomous Weapon Systems.

<sup>3</sup> Russia. 2020. Working Paper of the Russian Federation National Implementation of the Guiding Principles on Emerging Technologies in the Area of Lethal Autonomous Weapons Systems.

<sup>4</sup> Austria, Brazil, and Chile. 2018. Proposal for a mandate to negotiate a legally-binding instrument that addresses the legal, humanitarian and ethical concerns posed by emerging technologies in the area of lethal autonomous weapons systems (LAWS). CCW/GGE.2/2018/WP.7.

challenges posed by LAWS.<sup>5</sup> However, the United States, United Kingdom, Russia, and France all opposed a legally-binding treaty to prohibit certain features of autonomous weapons, and China opposed a treaty banning the development of LAWS. The depth of this disagreement was evident in subsequent CCW meetings in 2020 and 2021, in which states failed to make additional progress on governing LAWS. If states could agree on guiding principles regarding autonomous weapons, why were they so divided on further measures? What explains these divisions?

Although the technology was new, these negotiations and debates over how to best govern weapons and military technologies were not novel. Instead, they were only the latest multilateral effort to regulate a type of weapon. Likewise, these different evaluations of the non-binding principles—as either a) sufficient rules to guide states in ensuring that the use of autonomy in weapons systems would be compliant with international humanitarian law; or b) as a first step toward a stronger, legally-binding instrument, but on their own too weak to meaningfully reduce the threats posed by autonomous weapons—reflected common differences in past approaches to multilateral governance of various weapons. They also revealed states’ different anticipations of these weapons’ effect on international relations.

Since the end of World War II, states have pursued a variety of multilateral agreements to limit the production, trade, placement, and use of various weapons. They frequently purport to seek weapons regulation in order to advance international peace and security. Yet states disagree profoundly over how multilateral weapons governance should contribute to this outcome, and the objectives they seek within this broad concept are far from clear. ‘International peace and security’ refers to different realities for various states. As a result, the extent to which different forms of

---

<sup>5</sup> Non-Aligned Movement. 2020. Working paper by the Bolivarian Republic of Venezuela on behalf of the Non-Aligned Movement (NAM) and other states parties to the Convention on Certain Conventional Weapons (CCW). CCW/GGE.1/2020/WP.5.

multilateral weapons governance advance this objective can also vary dramatically among states.

In many ways, weapons governance is a particularly challenging form of multilateral cooperation, as it requires states to place limits on the tools they use to ensure their security—and threaten others’ security. Article 51 of the UN Charter refers to an “inherent right of individual or collective self-defense” for all UN member states.<sup>6</sup> From one perspective, why would states enact restrictions on these tools for self-defense? How can they agree on which restrictions to put in place? From a different perspective, if weapons regulation is supposed to advance international peace and security and avoid unnecessary suffering, why are there not more restrictions? Why would states oppose such regulations? And from both perspectives, why do these restrictions differ so much in their form and content?

These various questions boil down to two key questions: Why do states pursue multilateral agreements to govern weapons? How do these objectives shape the pursuit of such agreements and the final content of the agreement? This dissertation examines why and how states pursue multilateral agreements to govern or regulate weapons. Understanding the objectives states seek through such multilateral agreements is a critical but underexplored question in international relations and security studies. Despite extensive scholarship on bilateral arms control<sup>7</sup> and on humanitarian norm-building,<sup>8</sup> little is known about the role of multilateral agreements to govern, regulate,

---

<sup>6</sup> United Nations. 1945. Charter of the United Nations. 1 UNTS XVI.

<sup>7</sup> E.g., Jeffrey Knopf. 1998. *Domestic Society and International Cooperation: The Impact of Protest on US Arms Control Policy*. Cambridge, UK: Cambridge University Press; Jane Vaynman. 2014. *Enemies in Agreement: Domestic Politics, Uncertainty, and Cooperation between Adversaries*. PhD dissertation. Cambridge: Harvard University; James Cameron. 2017. *The Demise of America's First Missile Defense System and the Rise of Strategic Arms Limitation*. Oxford: Oxford University Press; John Maurer. 2017. *An Era of Negotiation: SALT in the Nixon Administration 1969-1972*. PhD dissertation. Washington DC: Georgetown University. Sarah Kreps, Elizabeth Saunders, and Kenneth Schultz. 2018. The Ratification Premium: Hawks, Doves, and Arms Control. *World Politics* 70(4): 479-514.

<sup>8</sup> E.g., Martha Finnemore and Kathryn Sikkink. 1998. International Norm Dynamics and Political Change. *International Organization* 52(4): 887-917; Richard Price. 1998. Reversing the Gun Sights: Transnational Civil Society Targets Land Mines. *International Organization* 52(3): 613-644; Margarita

and restrict the possession and/or use of various weapons as a distinct type of political tool in international relations. These international agreements seek both to regulate the specific weapon or practice at hand and to influence geopolitics broadly: they are political agreements that seek to shape the behavior of states and relations between states. As a result, great powers and small/medium states pursue these agreements for different geopolitical objectives. These differences, combined with differences in states' material capabilities and social influence, thus shape how these types of states pursue multilateral weapons governance and the final form and content of the agreement.

### ***Contributions***

Examining these dynamics makes three primary contributions. First, focusing on *multilateral* weapons governance elucidates how multilateral rule-making can be used to advance different objectives for different types of states, especially in the domain of international security. Powerful states use multilateralism to cement and sustain their dominance and influence.<sup>9</sup> Yet multilateralism can also be a tool of the weak to bind the powerful.<sup>10</sup> Examining why and how both types of states use multilateral weapons governance advances understandings of how both the form and

---

Petrova. 2007. *Leadership Competition and the Creation of Norms: A Cross-National Study of Weapons Restrictions*. PhD dissertation. Ithaca: Cornell University; Jennifer Erickson. 2015. *Dangerous Trade: Arms Exports, Human Rights, and International Reputation*. New York: Columbia University Press; Adam Bower. 2017. *Norms without the Great Powers: International Law and Changing Social Standards in World Politics*. Oxford: Oxford University Press.

<sup>9</sup> E.g., Richard Steinberg. 2002. In the Shadow of Law or Power? Consensus-Based Bargaining and Outcomes in the GATT/WTO. *International Organization* 56(2): 339-374; Nico Krisch. 2005. International Law in Times of Hegemony. *European Journal of International Law* 16(3): 369-408; G. John Ikenberry. 2011. *Liberal Leviathan: The Origins, Crisis, and Transformation of the American World Order*. Princeton: Princeton University Press.

<sup>10</sup> E.g., Diana Panke. 2012. Dwarfs in international relations: how small states make their voices heard. *Cambridge Review of International Affairs* 25(3): 313-328; Bower 2017; Tom Long. 2017. Small States, Great Power? Gaining Influence Through Intrinsic, Derivative, and Collective Power. *International Studies Review* 19(2): 185-205; Jack Corbett, Xu Yi-chong, and Patrick Weller. 2021. *International Organizations and Small States: Participation, Legitimacy and Vulnerability*. Bristol: Bristol University Press.

content of multilateral negotiations and agreements can serve different objectives. Doing so also underscores how multilateralism and global governance are sites of contestation in world politics, not solely facilitators of cooperation.

Although other scholars have emphasized the importance of leadership dynamics in leading to multilateral weapons governance, they focus on the role of NGOs in raising issue salience<sup>11</sup> or how NGOs stimulate competition for leadership in negotiations among states.<sup>12</sup> This dissertation contributes to understanding how differences in leadership shape multilateral weapons governance by examining how different types of states—great powers versus small and medium states—pursue and lead multilateral weapons governance initiatives for different geopolitical objectives, and the implications of leadership by different types of states for the process and outcome of these initiatives. By analyzing who leads these initiatives, why, and with what implications (rather than focusing the analysis on when leadership occurs), it roots the variable of leadership in questions of contestation in world politics.

Understanding why and how states pursue multilateral weapons governance is central to understanding who benefits from these agreements, as well as evaluating the success or failure of agreements and the prospects for concluding future ones. By comparing agreements led by great powers and by small/medium states, this research suggests a broader array of paths through which multilateral weapons governance may occur than a focus on US-led initiatives would conclude. At the same time, states do not always pursue their objectives through multilateralism. Understanding what specific objectives different types of states choose to pursue via multilateral weapons

---

<sup>11</sup> R. Charli Carpenter. 2011. Vetting the Advocacy Agenda: Network Centrality and the Paradox of Weapons Norms. *International Organization* 65(1): 69-102.

<sup>12</sup> Petrova 2007; Margarita Petrova. 2016. Rhetorical Entrapment and Normative Enticement: How the United Kingdom Turned From Spoiler Into Champion of the Cluster Munition Ban. *International Studies Quarterly* 60(3): 387–399.

governance advances knowledge regarding the role of multilateralism in international relations.

Second, theorizing and examining why small and medium states (and not just great powers) pursue multilateral weapons governance advances understandings of how smaller states shape world politics. It highlights how small and medium states do not simply fall in line behind one great power or another, but actively pursue their own objectives, seeking to reshape international relations. At the same time, it explains the process via which these states pursue multilateral weapons governance, despite their limited resources (as compared to great powers). Scholarship that focuses on weapons governance agreements led by the United States and other great powers fails to explain why other states would negotiate agreements that lack the buy-in of the great powers. Moreover, focusing only on agreements led by the United States and other great powers produces a serious selection bias in attempting to understand the dynamics of multilateral weapons governance.

In addition, although this research draws on scholarship that has examined multilateral weapons governance from small and medium states through a lens of norm entrepreneurship, existing literature rarely explores the strategic motivations of small and medium states in pursuing these initiatives. Instead, it often treats weapons governance as a tool to advance new (and implicitly, altruistic) norms of behavior, focusing on how ‘good’ humanitarian norms emerged and developed through such initiatives.<sup>13</sup> Yet norms in international relations—defined as “collective expectations of the proper behavior of actors with a given identity”<sup>14</sup>—are not necessarily humanitarian or ‘good’. In addition, although norms can be advanced, maintained, or challenged through a variety of weapons governance initiatives, previous scholarship

---

<sup>13</sup> Price 1998; Petrova 2007; 2016; Bower 2017.

<sup>14</sup> Peter Katzenstein. 1996. Introduction. In Peter Katzenstein, ed. *The Culture of National Security: Norms and Identity in World Politics*. New York: Columbia University Press, 5.

has largely focused on the development of *new* norms through multilateral weapons governance rather than on how weapons governance can be a tool to maintain status quo norms. This dissertation provides insights into the dynamics of weapons governance by small and medium states by theorizing and demonstrating how multilateral weapons governance is a strategic tool for these states in their efforts to sustain or reshape the hierarchy of international relations.

Third, this dissertation provides new data on patterns in multilateral weapons governance (Chapter 3), on an agreement that has received extensive attention in international relations (Chapter 4, the Treaty on the Nonproliferation of Nuclear Weapons), a relatively recent agreement that is not yet well-understood (Chapter 5, the Treaty on the Prohibition of Nuclear Weapons), and an agreement that has received relatively little attention but which has had important implications for subsequent cases of multilateral weapons governance (Chapter 6, the Convention on Certain Conventional Weapons). These cases enable an assessment of how differences in the category of states leading the initiative explain the objectives the initiative seeks, the process through which they pursue these objectives, and the outcome of the agreement. In addition, these specific cases provide maximum variance along the relevant dimension of leadership and are also representative of cases within each category of leadership.<sup>15</sup> Moreover, comparing two cases governing nuclear weapons—one led by great powers and one led by small/medium states—facilitates a comparison of how different types of leadership involve distinctly different approaches to governing the same type of weapon. Holding constant the type of weapon in question focuses attention on the approach to governance, rather than physical properties of weapons. At the same time, the middle case of the CCW enables

---

<sup>15</sup> John Gerring. 2008. Case Selection for Case-Study Analysis: Qualitative and Quantitative Techniques. In Janet Box-Steffensmeier, Henry Brady, and David Collier, eds. *The Oxford Handbook of Political Methodology*. Oxford: Oxford University Press, 650–651.

an examination of how these dynamics unfold in the governance of non-nuclear weapons as well. Finally, these cases span a 50-year period, facilitating a comparison of differences across time.

Each chapter makes individual contributions as well. In Chapter 3, I present a new dataset of all multilateral weapons governance agreements since 1945 and carry out the first quantitative assessment of patterns across these agreements. This provides a foundation for examining various patterns in multilateral weapons governance. In addition, the analysis of new archival documents in Chapter 4 provides a richer, more nuanced understanding of how the United States and the Soviet Union pursued the Treaty on the Nonproliferation of Nuclear Weapons, including the extent of their cooperation and how they managed smaller states' efforts to contest the scope and content of regulation. The interviews conducted for Chapter 5, meanwhile, offer new insights regarding how diplomats, NGO representatives, and international organization bureaucrats understand both the Treaty on the Prohibition of Nuclear Weapons specifically and multilateral weapons governance in the 21<sup>st</sup> century more broadly.

Archival data on the origins of and process leading to the Convention on Certain Conventional Weapons (CCW) in Chapter 6 explains why the convention turned out in a way that is difficult to understand when examining only initiatives led by great powers or only those led by small and medium states. In doing so, it also sheds light on the origins of later efforts to govern conventional weapons, including the Mine Ban Treaty and Cluster Munitions Convention, the additions of Protocols IV and V to the CCW, and current efforts to govern autonomous weapons in the CCW. Finally, by bringing these empirical contributions together under a common theoretical framework, this dissertation provides a foundation for understanding multilateral weapons governance agreements not as isolated cases but in relation to one another. By theorizing and analyzing multilateral weapons governance across different types of

weapons, this research bridges scholarship on nuclear weapons and non-nuclear weapons (e.g., landmines and cluster munitions).

### ***Definitions and Concepts***

In this dissertation, I use the terminology of multilateral weapons governance to refer to efforts to regulate (i.e., to make rules regarding) the development, possession, transfer, and use of all types of weapons. This definition is expansive and covers a range of initiatives that others might include under separate categories, including disarmament, nonproliferation, arms control, and export controls. However, these are all examples of regulating weapons, and the dividing lines between these categories are often fuzzy. Because this research seeks to explain the various forms that weapons governance takes (and why it takes these different forms), it does not restrict the scope of this analysis to certain forms of governance but takes a broad look at the variety of ways states have sought to regulate weapons.

This definition also encompasses all types of weapons, from small arms to nuclear bombs. Although all weapons have unique characteristics, there is no *ex ante* reason to assume that the regulation of certain weapons (e.g., nuclear weapons) is qualitatively different in important ways from the regulation of other weapons. As political agreements among states, multilateral weapons governance agreements do not exist independently of one another but are negotiated by overlapping groups of states. As a result, it is certainly plausible that agreements negotiated by the same states—even if they are designed to regulate different weapons—may share commonalities in their contents. Moving beyond weapon-specific research silos and examining the political objectives that states seek through weapons governance overall enables an understanding of why states pursue such agreements and what these agreements are designed to do. Although I pay careful attention in the case studies to

how relevant actors understood the significance and effects of the weapon system in question, I follow a large body of scholarship that treats these questions as not materially determined alone but socially constructed as well.<sup>16</sup>

In distinguishing multilateral negotiations and agreements from bilateral ones, I use Ruggie's definition of multilateralism as "coordinat[ing] national policies in groups of three or more states [...] on the basis of certain principles of ordering relations among those states."<sup>17</sup> As the next chapter elucidates, the 'principles of ordering relations' are central to processes and outcomes of multilateral weapons governance.

I define great powers as the five permanent members of the UN Security Council (the P5). These five states have unparalleled social rights and privileges and also dominate the production and possession of weapons.<sup>18</sup> They were also the first to develop and test nuclear weapons, hold the greatest number of nuclear weapons, their possession of nuclear weapons is recognized in international law, and they are legitimated as the status quo nuclear powers. In the conventional arms trade, the same states dominate arms production and exports (with the exception of the UK, which is replaced by Germany).<sup>19</sup> In the twenty-first century, they are at the forefront of developing advanced weapons technologies, including autonomous and semi-autonomous weapons. Their military dominance and social privileges are deeply linked to one another and set them apart from all other states.<sup>20</sup>

---

<sup>16</sup> E.g., Price 1998; Michelle Bentley. 2013. War and/of Words: Constructing WMD in US Foreign Policy. *Security Studies* 22(1): 68-97.

<sup>17</sup> John G. Ruggie. 1992. Multilateralism: The Anatomy of an Institution. *International Organization* 46(3): 561-598, 567.

<sup>18</sup> By social resources, privileges, and influence, I refer to non-material concepts such as status, prestige, and other forms of social hierarchy that distinguish among states, serve as forms of power, and thus facilitate certain states' ability to achieve their desired results while limiting others' ability to do so.

<sup>19</sup> SIPRI Yearbooks 1968-2019.

<sup>20</sup> Barry O'Neill. 2006. Nuclear Weapons and National Prestige. Cowles Foundation Discussion Paper 1560. Yale University, 4, 7; Vincent Pouliot. 2016. *International Pecking Orders: The Politics and Practice of Multilateral Diplomacy*. Cambridge: Cambridge University Press, 76.

I define small and medium states as all states that do not fall into the category of great powers. This is conceptually similar to Bower's terminology of 'non-great powers' and 'non-great power treaties.'<sup>21</sup> Although there are many differences among small and medium states, this definition is based on the core distinction between states that have military and social dominance in international relations and those that neither dominate the global production of weapons nor are endowed with the P5's special privileges.<sup>22</sup>

I do not expect that all great powers or all small/medium states will be actively involved in every case of multilateral weapons governance led by these respective categories. Although I group states into two broad categories, there are still many differences among the states in each category. In any given circumstance, not all states in each category will necessarily perceive a need for multilateral weapons governance. Rather, when these types of states pursue multilateral weapons governance, they do so for different purposes and pursue governance through divergent processes due to the differences in their material and social dominance. As Katzenstein notes in the context of international regimes, "actor identities [are] often consequential for the definition of actor interests."<sup>23</sup> To be a great power or a small state is not simply a description of a state's material capabilities, but an identity that shapes its interests and relations with other states.

In addition, I do not create a separate category of middle powers because categorizations of 'middle powers' vary dramatically: some approaches conflate middle powers and rising powers, while others consider middle powers to have a normative commitment to multilateralism. As Neack notes,

---

<sup>21</sup> Bower 2017, 6.

<sup>22</sup> This is consistent with other definitions that distinguish small states based on the asymmetry of their relations with more powerful states (e.g., Keohane 1969, 296; Long 2017, 186).

<sup>23</sup> Katzenstein 1996, 22.

the term ‘middle power’ never has had a clear meaning or definition, and the so-called middle powers have largely been self-electing (whether the self-election was by scholars or practitioners). Scholarly efforts to bring more rigor to the concept have failed to agree on its basic definition and membership list. This failure results largely from a fundamental disagreement over whether the ‘middle power’ is defined by its functional capabilities, characterized by its strong moral imperative as a ‘good international citizen,’ designated by its position in the international hierarchy, or revealed in its foreign policy behaviors.<sup>24</sup>

More broadly, questions of which states should be considered middle powers are highly contested.<sup>25</sup> As such, the ‘middle power’ categorization is not an analytically useful category for understanding states’ concerns regarding weapons and their governance. Furthermore, although great powers are qualitatively different from other states (not just different in their quantities of military capabilities), changing the threshold of great powers to include states such as India or exclude states such as France does not change the classification of any agreement.

---

<sup>24</sup> Laura Neack. 2017. Searching for Middle Powers. *Oxford Research Encyclopedia of Politics*.

<sup>25</sup> Iver Neumann and Sieglinde Gstöhl. 2006. Lilliputians in Gulliver’s World? in Christine Ingebritsen et al. eds. *Small States in International Relations*. Seattle: University of Washington Press.



CHAPTER 2  
MULTILATERAL WEAPONS GOVERNANCE IN INTERNATIONAL  
RELATIONS

*Introduction*

This chapter develops a theory of why and how states pursue multilateral agreements to govern weapons. Emphasizing differences in states' material and social positions in world politics, this chapter proposes that great powers and small/medium states pursue multilateral weapons governance for distinctly different geopolitical objectives and that these differences in both objectives and position then shape the form and content of agreements. Treating weapons governance as a means of international relations, rather than as an end in itself, facilitates an understanding of the different political objectives that actors use weapons governance to pursue. Equally important is understanding how states pursue agreements that advance these objectives. If states' objectives are blocked during negotiations, they are unlikely to achieve agreements that advance these goals. Linking the objectives that states seek, the negotiating process, and the final agreement is critical to assessing what multilateral weapons governance accomplishes as well as prospects for future agreements. The theoretical framework developed here draws on scholarship that has examined how great powers or small/medium states have used multilateralism and international institutions for various purposes. It connects these insights with scholarship regarding why and how states pursue arms control, nonproliferation, disarmament, export controls, and confidence-building measures.

A large body of literature emphasizes that states act differently in world politics based on both their material resources and their hierarchical position in the

international system.<sup>26</sup> However, this literature has focused far more on the behavior of great powers—particularly in international security—than on why small and medium states behave in the ways they do.<sup>27</sup> Still, small and medium states are often able to craft multilateral agreements to govern a variety of issue areas, including security, human rights, and the environment.<sup>28</sup> A comprehensive examination of why and how both types of states—great powers and small/medium states—pursue multilateral weapons governance advances understandings of the conditions under which weapons governance is possible, the forms it can be expected to take, and factors that facilitate or inhibit success.

Specifically, great powers pursue multilateral weapons governance to preserve their dominance and prevent other actors from taking actions that threaten their dominance or destabilize the status quo. Multilateral weapons governance serves this purpose by denying or restricting weapons and technologies that could be used to challenge the status quo and by providing information about other actors' capabilities. Although other scholars have argued that great powers use multilateral rules and institutions,<sup>29</sup> including those for nuclear weapons,<sup>30</sup> to preserve their dominance, this scholarship often underappreciates the extent to which small and medium states also pursue multilateral agreements, including agreements for governing weapons. Such

---

<sup>26</sup> E.g. Kenneth Waltz. 1979. *Theory of International Politics*. Reading, Massachusetts: Addison-Wesley Publishing Company; Ikenberry 2011; Pouliot 2016.

<sup>27</sup> E.g. Robert Gilpin. 1981. *War and Change in World Politics*. Cambridge: Cambridge University Press; John Mearsheimer. 2001. *The Tragedy of Great Power Politics*. New York: W. W. Norton; William Wohlforth. 2009. Unipolarity, Status Competition, and Great Power War. *World Politics* 61(1): 28-57.

<sup>28</sup> E.g. Stefan Brem and Kendall Stiles eds. 2009. *Cooperating Without America: Theories and Case Studies of Non-Hegemonic Regimes*. New York: Routledge; Bower 2017; Corbett, Xu, and Weller 2021.

<sup>29</sup> E.g., Krisch 2005; Ikenberry 2011.

<sup>30</sup> E.g., Frank Gavin. 2012. *Nuclear Statecraft: History and Strategy in America's Atomic Age*. Ithaca: Cornell University Press; Frank Gavin. 2020. *Nuclear Weapons and American Grand Strategy*. Washington DC: Brookings Institution Press; Andrew Coe and Jane Vaynman. 2015. Collusion and the Nuclear Nonproliferation Regime. *The Journal of Politics* 77(4): 983-997; Nicholas Miller. 2018. *Stopping the Bomb: The Sources and Effectiveness of US Nonproliferation Policy*. Ithaca: Cornell University Press.

scholarship is unable to explain why small and medium states would negotiate agreements that lack the buy-in of the United States or other great powers. In doing so, it presents only a partial account of why and how multilateral weapons governance occurs. Overlooking why and how small and medium states pursue multilateral weapons governance risks not only misunderstanding the conditions under which multilateral weapons governance is likely to occur and the types of agreements it produces but also risks under-appreciating the frequency of small and medium states' efforts to challenge great powers' dominance. Moreover, by restricting analyses of multilateral weapons governance by great powers ex ante to nuclear nonproliferation, such scholars fail to explain the extent to which other forms of multilateral weapons governance (as opposed to nonproliferation) and governance of other weapons advance great powers' objectives, and why.

Small and medium states, on the other hand, pursue multilateral weapons governance to reduce their material and social vulnerability relative to great powers and to exercise greater agency and influence in international politics. The objectives that great powers and small/medium states seek are often fundamentally at odds with one another. Although other scholars have examined cases of multilateral weapons governance led by small/medium states (especially regarding treaties banning landmines and cluster munitions),<sup>31</sup> both scholars and proponents of such agreements have often emphasized the humanitarian consequences of weapons they aim to regulate and/or the importance of civil society in the initiative; underappreciating the strategic elements of why and how small and medium states pursue these agreements.

Understanding the dynamics of multilateral weapons governance also requires examining how the objectives states seek through these initiatives are translated into

---

<sup>31</sup> E.g., Price 1998; Petrova 2007; 2016; Bower 2017, 73-120; Rebecca Davis Gibbons. 2018. The Humanitarian Turn in Nuclear Disarmament and the New Nuclear Prohibition Treaty. *The Nonproliferation Review* 25(1-2): 11-56.

agreements. This chapter theorizes how each category of states pursue agreements that reflect and advance their objectives, given their distinct material and social resources. How states frame the issue, build support among other states, and the choice of institutional format for negotiations are all critical steps for both great powers and small/medium states in turning their goals into multilateral weapons governance agreements that reflect these objectives.

After defining key concepts, this chapter proceeds in six sections: the first section theorizes the objectives that great powers and small/medium states pursue through multilateral weapons governance (i.e., why states pursue multilateral weapons governance). The second section theorizes the factors that affect how proponents of an initiative pursue an agreement that reflects their objectives (i.e., how they are translated into outcomes) for great powers and small/medium states. The third section theorizes the outcome (i.e., the terms of the agreement) of multilateral weapons governance by small/medium states and by great powers. The fourth section theorizes middle cases in which both great powers and small/medium states seek to govern the same weapon simultaneously. The fifth section lays out how the theoretical expectations presented in the chapter will be assessed in the following chapters. The sixth section introduces the two alternative explanations—(rational) institutional design and domestic politics—that will be assessed in the case studies. Finally, the chapter concludes by discussing the scope of the theory's likely application.

### ***Purpose in Multilateral Weapons Governance***

#### *Great Powers: Preserving the Stability of the Status Quo*

Great powers pursue multilateral weapons governance primarily to preserve the stability of their status quo dominance in world politics. Because great powers are and have historically been the major producers of most weapons (from nuclear

weapons to small arms), they are likely to be more concerned than most states about weapons-related developments that might enable other states to challenge the international status quo and great powers' associated dominance. Scholars of revisionism generally stress the importance of military capabilities in would-be revisionists' efforts to challenge the status quo.<sup>32</sup> Consequently, staving off potential challengers' ability to amass such capabilities is an important measure for great powers to maintain their status quo advantages. More broadly, great powers use multilateral agreements as tools to preserve their status quo advantage in international relations.<sup>33</sup> Multilateral weapons governance, thus, is a tool for great powers to order and regulate their relations with small and medium states, preserving and maintaining both the material and social dominance that great powers enjoy under the status quo.

Given that great powers benefit disproportionately from the status quo, they pursue multilateral weapons governance to preserve their edge and prevent new adversaries from rising. This is consistent with Bull's argument that great powers only pursue arms control agreements that do not challenge their strategic preponderance vis-à-vis smaller states but goes further in claiming that they pursue arms control and other forms of weapons governance in order to preserve this dominance.<sup>34</sup> Specifically, great powers pursue multilateral weapons governance to prevent other actors from acquiring weapons capabilities that could destabilize the status quo and to gain greater information about other states' capabilities and activities that could be destabilizing. Prohibiting or placing restrictions on the materials and technologies that states can acquire is a valuable tool to limit would-be challengers' ability to mount

---

<sup>32</sup> E.g., Gilpin 1981; Jason Davidson. 2006. *The origins of revisionist and status quo states*. London: Palgrave; Alexander Cooley, Daniel Nexon, and Steven Ward. 2019. Revising order or challenging the balance of military power? An alternative typology of revisionist and status-quo states. *Review of International Studies* 45(4): 689-708.

<sup>33</sup> E.g. Steinberg 2002; Krisch 2005; Ikenberry 2011.

<sup>34</sup> Hedley Bull. 1970. The Scope for Super-Power Agreements. *The Adelphi Papers* 10(65): 1-15, 1-2.

threats to great powers' dominance. For example, in the case of Treaty on the Nonproliferation of Nuclear Weapons, the countries that had already developed nuclear weapons sought to preserve the status quo—in which they were the only states with nuclear weapons—and perceived potential nuclear aspirants as threatening the stability of the international order.<sup>35</sup> More broadly, Gavin contends that nonproliferation (or 'strategies of inhibition') has been a core element of US grand strategy since 1945, to safeguard US security and "preserve its dominant power."<sup>36</sup>

Multilateralism is a useful format for great powers to preserve their status quo advantage because under multilateralism, reciprocity is diffuse.<sup>37</sup> Thus, great powers can restrict the capabilities of any potential challengers rather than having to negotiate directly with specific power-seeking states who may be more recalcitrant to limit their arsenals under conditions of direct reciprocity. By restricting access to technologies and weapons components, such blanket (multilateral) rules also enable great powers to ward off potential future challengers, even if they do not present a current threat to great powers' status quo dominance. Likewise, Gavin claims that, as a strategy to preserve US dominance on a global scale, inhibition (i.e., nonproliferation) was aimed at technologies rather than particular states.<sup>38</sup> Whereas other scholars have distinguished between seeking stability and seeking the advantage as competing objectives in US bilateral arms control policy,<sup>39</sup> they are fused in the multilateral context. Instead, great powers seek to maintain the stability of the status quo and prevent less powerful states from challenging or threatening them. They put aside

---

<sup>35</sup> Gavin 2012.

<sup>36</sup> Gavin 2020, 84.

<sup>37</sup> This is widely acknowledged as a key difference in the negotiating dynamics between multilateral and bilateral venues. See Robert Keohane. 1986. Reciprocity in International Relations. *International Organization* 40(1): 1-27, 4; Ruggie 1992, 571.

<sup>38</sup> Gavin 2020, 100.

<sup>39</sup> Maurer 2017.

competition for advantage among themselves in favor of colluding to maintain their dominance vis-a-vis lesser powers.

In addition to preserving the status quo through restrictions on potentially threatening weapons and technologies, great powers also use multilateral weapons governance to gain increased information about other states' activities. Increased information contributes to preserving the status quo by reducing ambiguities or information asymmetries that could be destabilizing and could threaten great powers' dominance. Status quo states aiming to prevent new threats from rising seek confidence that the status quo is being maintained. For example, provisions for oversight flights across other countries' territory in the Open Skies Treaty reduce uncertainty regarding participating countries' intentions and capabilities. Other examples of efforts to reduce miscalculations include gaining greater information that other states are not attempting to develop nuclear weapons, through safeguards requirements in the Treaty on the Nonproliferation of Nuclear Weapons or through the International Atomic Energy Agency (IAEA) Additional Protocol.<sup>40</sup>

Scholars of US-led weapons governance agreements stress the importance of information-sharing, through transparency provisions such as monitoring and verification, as a critical component of an effective agreement.<sup>41</sup> Because these agreements lack external enforcement mechanisms, information provision serves to guard against concerns that states are secretly violating the agreement and developing capabilities that could threaten great powers' dominance. Although states, including great powers, may be reluctant to share sensitive information regarding their own

---

<sup>40</sup> The Additional Protocol is an agreement signed between a nonnuclear weapon state and the IAEA, which allows for extensive monitoring and verification to ensure states are not secretly developing nuclear weapons. Most states' Additional Protocol are technically a bilateral agreement (between each state and the IAEA), but the concept and the model Additional Protocol (which most states use) were developed multilaterally.

<sup>41</sup> Andrew Coe and Jane Vaynman. 2020. Why Arms Control is So Rare. *American Political Science Review* 114(2): 342-355, 342-343.

capabilities—what Coe and Vaynman refer to as the transparency-security tradeoff<sup>42</sup>—this tradeoff can be overcome and great powers can use multilateral weapons governance to gain information about changes in other states' activities without revealing sensitive information about their own activities. Great powers are likely to pursue information-sharing not solely on its own but in combination with restrictions on weapons technologies that could threaten the status quo. For example, information-sharing in nonproliferation and export control agreements provides confidence that states are not illicitly engaging in activities they have agreed to forgo.

Small and medium states may also see benefits from information sharing.<sup>43</sup> However, information sharing does little to advance their primary objectives in multilateral weapons governance. In contrast, for great powers, information sharing serves a central role in maintaining confidence that the status quo is being upheld and in warding off potential threats to their status quo dominance. Although great powers can (and do) use unilateral intelligence capabilities to monitor potential threats, establishing information-sharing mechanisms through multilateral weapons governance agreements can reduce monitoring costs and make it harder for would-be challengers to hide military buildups or the acquisition of military technologies.

Importantly, even though the United States and Russia have often approached bilateral arms control from adversarial positions, they have also often cooperated contra other states when it comes to the multilateral context, particularly during the Cold War. For example, the United States and Soviet Union cooperated and were in remarkable agreement regarding the need for and form of the Outer Space Treaty. In contrast, developing countries were alarmed that the treaty would serve to deny their

---

<sup>42</sup> *Ibid.*, 343.

<sup>43</sup> As discussed in the section on middle cases.

technological aspirations and further entrench inequalities.<sup>44</sup> More broadly, other scholars have noted remarkable continuity in the Russian approach (and the Soviet approach before) to multilateralism: this approach emphasizes collective security of and by a concert of great powers, and preserves the status quo dominance of these states.<sup>45</sup> In any case, multilateral weapons governance led by great powers does not require the agreement of all great powers: they pursue it not to regulate themselves, but to regulate potential challengers to their status quo dominance.

This discussion underscores an important distinction between multilateral and bilateral weapons governance in understanding the objectives great powers seek in weapons governance. When regulating a particular weapon involves governing the behavior of a wide variety of states, great powers seek to preserve their status quo dominance. As Bull noted, “where Soviet-American cooperation evidently promotes international security and not merely the national security of the great powers—for example, contributing to the avoidance of global nuclear war—it does so in ways that leave the existing political structure of the world intact.”<sup>46</sup> For great powers, cooperation in weapons governance serves a particular purpose that reflects their preference “for a world order in which they continue to enjoy a privileged position.”<sup>47</sup> When scholars extend a logic of bilateral arms control to multilateral negotiations, they often overlook this key difference.

---

<sup>44</sup> Stephen Buono. 2020. Merely a ‘Scrap of Paper’? The Outer Space Treaty in Historical Perspective. *Diplomacy & Statecraft* 31(2): 350-372, 353, 357.

<sup>45</sup> Robert Legvold. 2009. The Role of Multilateralism in Russian Foreign Policy. In Elana Wilson Rowe and Stina Torjesen, eds. *The Multilateral Dimension in Russian Foreign Policy*. London: Routledge, 25; Andrei Zagorski. 2009. Multilateralism in Russian foreign policy approaches. In Elana Wilson Rowe and Stina Torjesen, eds. *The Multilateral Dimension in Russian Foreign Policy*. London: Routledge, 46-47.

<sup>46</sup> Hedley Bull. 1976. Arms Control and World Order. *International Security* 1(1): 3-16, 5.

<sup>47</sup> *Ibid.*, 4.

### *Which Weapons Are Destabilizing?*

Concerns about which weapons require multilateral regulation rely on a particular understanding of what security is, how it is produced, and for whom. How great powers understand why a particular weapon is destabilizing to the point of needing international regulation rests on their understanding of what preserves the status quo, and specifically how that weapon undermines it.<sup>48</sup> New technologies can be destabilizing, but existing weapons can also become destabilizing in the hands of new actors, new alliances between states, or changed geopolitical relations. Like the offense-defense balance, it is highly difficult to ascertain the effects of different weapons based on the characteristics of the weapons alone. Instead, analyzing how different actors perceive the implications of different weapons is essential to understanding how actors respond to them.<sup>49</sup> In the post-World War II environment, nuclear weapons have had tremendous importance globally as markers of and tools for great power dominance.<sup>50</sup> As a result, great powers are likely to use multilateral weapons governance in particular to preserve the nuclear status quo and prevent new nuclear weapon states.

At the same time, the international developments considered to be destabilizing are not materially determined alone but are the result of states' perceptions. During the Cold War, the bipolar balance between the great powers equated stability with preventing the outbreak of major war.<sup>51</sup> In the first twenty years after the end of the Cold War, weapons proliferation to 'rogue' states and non-state actors increasingly

---

<sup>48</sup> For a variety of scholarship on the constructed nature of international order, threats, and weapons, see, for example, Katzenstein 1996; Price 1998; Bentley 2013; Bentley Allan. 2017. *Second Only to Nuclear War: Science and the Making of Existential Threat in Global Climate Governance*. *International Studies Quarterly* 61(4): 809–820.

<sup>49</sup> E.g. Sean Lynn-Jones. 1995. *Offense-Defense Theory and Its Critics*. *Security Studies* 4(4): 660-691; Stephen Van Evera. 1999. *Causes of War: Power and the Roots of Conflict*. Ithaca: Cornell University Press.

<sup>50</sup> O'Neill 2006; Gavin 2020.

<sup>51</sup> John Lewis Gaddis. 1986. *The Long Peace: Elements of Stability in the Postwar International System*. *International Security* 10(4): 99-142, 104.

became seen as a threat to a stable world order dominated by great powers (in particular, the United States). In short, great powers can be expected to pursue multilateral weapons governance when they perceive threats to their dominance associated with those weapons.

### *Great Powers' Impetus for Governance*

The impetus for pursuing a multilateral initiative to address a destabilizing issue is likely to result from a perceived catalyst or shock that raises great powers' level of concern over the issue. Such catalysts might include the development or use of a particular weapon by other states, a significant revisionist or expansionary shift in other states' foreign policy objectives, changes in great powers' expectations of other states' future objectives and activities, or a miscommunication between great powers that creates or comes close to creating accidental escalation, or the discovery of destabilizing behavior by other states. For example, Miller argues that Chinese and Indian nuclear tests strengthened US expectations that a nuclear 'domino effect' (in which proliferation in one state would lead to proliferation in other states) was imminent.<sup>52</sup> Soon after China's first nuclear test, the United States and the Soviet Union led the creation of the Treaty on the Nonproliferation of Nuclear Weapons. After the first Indian nuclear test, they collaborated to form the Nuclear Suppliers Group. Both agreements were efforts to limit further nuclear proliferation by other states.

However, weapons governance is not costless for great powers; it requires making public commitments to act in specific ways, which can place limits on their freedom of action. Even great powers can incur serious reputational and legitimacy costs for breaking their international commitments or violating norms they have

---

<sup>52</sup> Miller 2018, 7.

helped propagate.<sup>53</sup> Thus, great powers are likely to pursue multilateral weapons governance only when the benefits to stability from regulation outweigh the costs of public commitments and limits on their freedom of action. Such situations are particularly prevalent in issues where the status quo is more hierarchical (for example, nuclear weapons) than ones where it is less so (for example, the illicit arms trade).<sup>54</sup> Because the status quo benefits are more asymmetric in such situations, great powers are likely to place higher importance on potentially destabilizing activities undertaken by other states with regard to the issue at hand. Given that nuclear weapons have widely been perceived as fundamentally changing the nature of warfare and that the possession of these weapons has historically afforded nuclear weapons states significant prestige in international politics,<sup>55</sup> great powers are particularly likely to take measures to preserve the nuclear status quo. For example, in examining US-Soviet nuclear nonproliferation cooperation during the Cold War, Potter and Bidgood find that cooperation was most likely when the two countries attached high importance to the issue—which happened frequently on nuclear issues.<sup>56</sup>

### *Small and Medium States: Reducing Vulnerability and Exercising Agency*

In contrast to great powers, small and medium states pursue multilateral weapons governance to reduce their vulnerability to great powers and exercise greater agency and influence in world politics. Great powers' dominance in the production and possession of many types of weapons poses a significant threat to small and

---

<sup>53</sup> Erickson 2015, 29.

<sup>54</sup> A more hierarchical context, field, or issue is one with greater asymmetries among actors (both materially and socially).

<sup>55</sup> Robert Jervis. 1990. *The Meaning of the Nuclear Revolution*. Ithaca: Cornell University Press, 1-8; O'Neill 2006, 1-2.

<sup>56</sup> William Potter and Sarah Bidgood. 2018. Lessons for the Future. In Sarah Bidgood and William Potter, eds. *Once and Future Partners: The US, Russia, and Nuclear Non-proliferation*. London: Routledge, 219-220.

medium states. Due to their limited material and social resources (particularly their military weakness relative to powerful states), small and medium states are less able to insulate themselves from damages caused by the use of weapons than great powers are.<sup>57</sup> Whereas great powers can employ deterrence, coercion, and superior warfighting resources (including retaliatory capacities) to protect themselves, small and medium states lack these options for responding to threats from great powers. Thus, small and medium states are likely to be highly concerned about the destructive effects of weapons use, more so than great powers states are. Moreover, while war has not occurred on great powers' territory since World War II, great powers have conducted proxy wars or supported opposing factions during conflicts in and between small states. War—and the destruction it produces—is more likely to take place on small and medium states' territory than on great powers' territory.

This effort to reduce the damages of war is a core part of small and medium states' efforts to reduce their vulnerability to great powers. For example, the 2006 ECOWAS Small Arms Convention was designed to limit the destruction and suffering caused by the unregulated circulation of small arms and light weapons—most of which were originally produced in powerful states outside the region but which greatly affected small and medium states in the ECOWAS region. Whereas great powers pursue multilateral weapons governance primarily to preserve the status quo and reduce the risks of inadvertent (major interstate) war, small and medium states pursue multilateral weapons governance primarily to reduce the destructive consequences of war should it occur and exercise greater agency and influence in international politics.

Small and medium states' disinterest in preserving the stability of the status quo and their emphasis on reducing the damages of war does not mean that they are

---

<sup>57</sup> David Vital. 1967. *The Inequality of States: A Study of the Small Power in International Relations*. London: Clarendon Press.

disinterested in security. Instead, their pursuit of objectives distinct from those of great powers reflects a different understanding of how security is produced and for whom.<sup>58</sup> Stability among great powers provides greater security for them but does not necessarily translate into greater security for smaller states. For example, Bull critiqued those who focused on US-Soviet strategic stability as treating “the security of the two great powers as prior to that of international society as a whole” and failing to recognize smaller states’ objective of justice-based international change.<sup>59</sup> At the same time, small and medium states pursue multilateral weapons governance out of self-interest and are not inherently more altruistic than great powers.<sup>60</sup>

Reducing small and medium states’ vulnerability to great powers involves reducing both their physical and social vulnerability. Great powers’ material and social dominance facilitates their ability to make rules for weaker states and impose conditions that reinforce or increase asymmetric relations between great powers and the rest.<sup>61</sup> Multilateral weapons governance serves as a way for small and medium states to create limits on great powers’ influence, by creating collective rules that restrict the latter’s freedom of action.<sup>62</sup> As a body of rules for delineating acceptable and unacceptable state behavior, international law and norms serve as tools for small and medium states to make rules affecting the behavior of powerful states. Although it binds small and medium states as well, their lack of material power and social

---

<sup>58</sup> Petrova makes a similar argument that the authority and legitimacy of militaries in most European countries and Canada rests on humanitarian values rather than military values. Petrova 2007, 18.

<sup>59</sup> Bull 1976, 9.

<sup>60</sup> Mantilla makes a similar argument in the context of 1970s international humanitarian law. Giovanni Mantilla. 2019. Social pressure and the making of wartime civilian protection rules. *European Journal of International Relations* 26(2): 443-468, 449.

<sup>61</sup> Krisch 2005; Panke 2012, 389.

<sup>62</sup> Muller suggests that the particularly asymmetric nature of military capacity makes justice concerns especially salient in these issues. Harald Muller. 2013. Introduction: Where It All Began. In Harald Muller and Carmen Wunderlich, eds. *Norm Dynamics in Multilateral Arms Control*. Athens: University of Georgia Press, 6.

influence relative to great powers means that their freedom of action is already quite bounded in the international system.

Even when great powers do not sign up to specific agreements, these agreements can still prescribe socially acceptable behavior for members of the international community. Smaller states have often attempted to use international law to bind great powers; particularly the United States.<sup>63</sup> In multilateral weapons governance, these efforts to create rules regulating the weapons are driven by great powers' production and use of the weapons in question, and the threat and harm this poses to small and medium states who use these weapons in a limited capacity, or not at all. At the same time, they are also driven by the material and social asymmetries in the global system, which afford great powers special rights and privileges and limit the agency of small and medium states.

In creating rules for governing weapons, small and medium states also seek greater agency and influence in global governance and to alter relations between states. They seek to reshape the international system so that it is less asymmetrically dominated by the concerns of great powers and includes more of their own concerns.<sup>64</sup> Agency does not mean that one will necessarily achieve one's desired outcome but refers to the ability to chart an independent course—i.e., “freedom from subjugation”<sup>65</sup> and the ability to “make a difference to a pre-existing state of affairs or course of events.”<sup>66</sup> Influence is a consequentialist form of agency that refers to shaping options or outcomes for others. Agency can be a vehicle for greater influence but also an end

---

<sup>63</sup> E.g. G. John Ikenberry. 2003. Is American Multilateralism in Decline? *Perspectives on Politics* 1(3): 533-550, 534; Bower 2017.

<sup>64</sup> As Long notes, these efforts seek to reshape normative elements of international relations that regulate appropriate behavior for states. Long 2017, 193.

<sup>65</sup> Gayatri Spivak. 1996. *The Spivak reader: selected works of Gayatri Chakravorty Spivak*. Donna Landry and Gerald MacLean, eds. New York: Routledge, 294.

<sup>66</sup> Anthony Giddens. 1984. *The constitution of society: Outline of the theory of structuration*. Cambridge: Polity Press, 15.

in itself. For small and medium states, whose agency is often limited by their lack of resources, as well as their dependence on and vulnerability to great powers, these are important objectives in world politics.

Weapons, and thus weapons governance, are intimately tied to power relations in world politics. As Bull argued, small and medium states saw “the emphasis on Soviet-American bilateral goals—in arms control [...] with the preoccupation with stabilization of the great power balance [...] as part of a system of hegemony which they wish to break down.”<sup>67</sup> Moreover, he claimed, the small and medium states of the third world were alienated from a world order dominated by the two superpowers and this alienation was rooted not only in material grievances but in these states’ lack of power and their “sense of impotence and vulnerability in relation to the Western countries and the Soviet Union.”<sup>68</sup> The Treaty of Tlatelolco (which created the world’s first nuclear weapon free zone in Latin America) was driven not only by concerns over the destructiveness of US and Soviet nuclear weapons (exacerbated by the Cuban Missile Crisis) but also by Latin American states’ desire to protect their sovereign autonomy and limit their vulnerability to the two superpowers.<sup>69</sup>

Thus, whereas great powers pursue weapons governance to preserve status quo relations, small and medium states pursue weapons governance to *transform* existing relations. They are especially likely to use multilateral rather than bilateral venues to make rules for weapons governance because multilateral fora enable them to band together as a counterweight to great powers. By using multilateral fora to create common rules for all states, small and medium states seek to change the standards for

---

<sup>67</sup> Bull 1976.

<sup>68</sup> Bull 1976, 11.

<sup>69</sup> Ryan Musto. 2017. A Desire so Close to the Hearts of all Latin Americans’: Utopian Ideas and Imperfections Behind Latin American’s Nuclear Weapon Free Zone. *Bulletin of Latin American Research* 37(2): 160-174.

how states should behave in international society.<sup>70</sup> While small and medium states negotiate bilaterally with great powers on some issues (e.g., alliances and trade), such agreements do not fundamentally challenge great powers' status quo dominance and the asymmetric relationship between great powers and the rest.

*Which Weapons Require Multilateral Governance by the Rest?*

Which weapons are considered to be of sufficient concern to the point of needing international regulation rests on an understanding of the effects of weapons and how they are used in conflict, and who produces and uses them. For example, conventional arms have historically been naturalized as an integral prerogative of state security, and “states have long protected their right to choose their arms trade partners as a matter of self-defense.”<sup>71</sup> However, the 2013 Arms Trade Treaty—led by small and medium states—challenged this understanding of the role of conventional weapons in world politics. Its proponents argued that the unregulated arms trade threatened human rights and sustainable development and, in turn, threatened the security of smaller states.<sup>72</sup> The treaty requires states to evaluate the humanitarian impact of their arms exports and forbids arms exports that would be used in crimes against humanity, war crimes, genocide, or attacks against civilians. In the process leading to the agreement, small/medium states and civil society reframed the legal arms trade as damaging to both civilians and international security. Although all weapons have some destructive capacity, assessments of which ones violate international humanitarian law on such a scale as to necessitate international regulation rests on the understanding of the weapon and the context in which it exists.

---

<sup>70</sup> Long similarly emphasizes how multilateralism led by small states seeks to reshape normative elements of international relations. Long 2017, 193, 198.

<sup>71</sup> Erickson 2015, 2.

<sup>72</sup> Sarah Parker. 2007. Analysis of States' Views on an Arms Trade Treaty. United Nations Institute for Disarmament Research.

### *State and Medium States' Impetus for Governance*

The impetus for small and medium states to regulate a particular weapon is likely to come from a perceived catalyst or shock that raises their concern regarding the effects of that weapon. Such shocks are likely to consist of one or more of the following: new evidence of the use of that weapon in warfare, heightened use and/or damage caused by the use of that weapon in warfare, and an advocacy or awareness-raising campaign by civil society. For example, small and medium states' concern over the risk of superpowers using nuclear weapons in Latin America and Southeast Asia, as well as their concerns over fallout from superpowers' nuclear tests in the South Pacific, led them to create nuclear weapons free zones in these regions.<sup>73</sup> Similarly, the use of cluster munitions in Lebanon in 2006 raised global awareness regarding the destructiveness of these weapons and generated an impetus to ban them.<sup>74</sup>

However, it is costly for small and medium states to pursue such initiatives—both in terms of political capital to defy great powers and in terms of financing negotiating conferences and potentially a secretariat to assist in implementing the agreement. Thus, such initiatives are likely to take place only when the expected benefits of the initiative (stigmatizing weapons that cause significant humanitarian harm and exercising greater agency and influence) outweigh these costs. Additionally, given their limited material and social resources (relative to more powerful states), small and medium states are likely to partner with civil society to build support for their initiative. Civil society has frequently played an important role in building support for multilateral weapons governance in the face of great power opposition.<sup>75</sup>

---

<sup>73</sup> Michael Hamel-Green. 2016. Cooperating Regionally, Denuclearizing Globally: Multilateral Nuclear-Weapon-Free-Zones. In Jeffrey Knopf ed. *International Cooperation on WMD Nonproliferation*. Athens: University of Georgia Press.

<sup>74</sup> Petrova 2007.

<sup>75</sup> E.g. Price 1998; Finnemore and Sikkink 1998; Petrova 2016.

However, this is not a necessary condition to generate support for multilateral weapons governance: effort to develop nuclear weapon free zones, for example, did not involve an extensive role for civil society in building support.<sup>76</sup>

### ***From Purpose to an Agreement***

The purposes for which states pursue multilateral weapons governance, however, do not translate seamlessly to outcomes. Both great powers and small/medium states strive to control the negotiating process to produce an agreement that advances their objectives. Three stages of the negotiating process are critical to produce an agreement that reflects and promotes states' objectives: framing the issue, building support, and controlling the institutional environment for negotiations. This section discusses why each of these three stages is necessary, what great powers and small/medium states respectively undertake in each stage, and how their success or failure in each stage affects their ability to create an agreement that advances their objectives.

### ***Framing Weapons***

For both great powers and small states, framing the weapon at hand is an essential step in advancing their objectives. Frames serve as mental shortcuts for interpreting the world, understanding the causes and consequences of a problem or issue (including locating blame), and identifying potential solutions.<sup>77</sup> They shape or limit the scope of an issue and, in doing so, legitimize certain solutions while

---

<sup>76</sup> Hamel-Green 2016; Musto 2017.

<sup>77</sup> Meyer Zald. 1996. Culture, Ideology, and Strategic Framing. In Doug McAdam, John McCarthy, and Mayer Zald, eds. *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*. Cambridge: Cambridge University Press, 269; Joshua Busby. 2007. Bono Made Jesse Helms Cry: Jubilee 2000, Debt Relief, and Moral Action in International Politics. *International Studies Quarterly* 51(2): 247–275, 251.

delegitimizing others.<sup>78</sup> As Rappert notes, “alternative determinations of what is the primary source of concern justify alternative assessments of what needs to be done.”<sup>79</sup> Frames furthermore alter the prioritization of different problems (i.e., set the agenda) and shape the options available to opponents of an initiative to contest it.<sup>80</sup> Despite much of the international relations literature’s focus on how relatively weak actors strategically frame issues to advance their objectives,<sup>81</sup> great powers “can and must deploy [framing] as well. The acquisition and maintenance of rule ultimately hinge as much on legitimacy as on physical coercion, and such legitimacy can be established only through rhetorical action.”<sup>82</sup>

To preserve their status quo dominance, great powers are likely to frame weapons in ways that locate the source of the problem with other actors’ possession of the weapons rather than their own. Distinguishing between responsible and irresponsible, or legitimate and illegitimate (or more simply, good and bad) actors facilitates great powers’ ability to maintain their weapons and associated dominance while denying them to others. For example, focusing on horizontal proliferation (increases in the number of actors that possess a certain weapon) rather than vertical proliferation (quantitative increases in weapons possessed by certain actors) locates the source of the problem with states that are seeking to acquire a particular weapon rather than those that already possess it.

By linking the harm (or potential harm) caused by a given weapon (and thus the need to govern it) to states other than themselves, great powers seek to disassociate

---

<sup>78</sup> Rodger Payne. 2001. Persuasion, Frames and Norm Construction. *European Journal of International Relations* 7(1): 37-61, 39.

<sup>79</sup> Brian Rappert. 2006. *Controlling the Weapons of War: Politics, Persuasion, and the Prohibition of Inhumanity*. London: Routledge, 3.

<sup>80</sup> Panke 2012, 320

<sup>81</sup> E.g., Price 1998; Busby 2007; Petrova 2016.

<sup>82</sup> Patrick Thaddeus Jackson and Ronald Krebs. 2007. Twisting Tongues and Twisting Arms: The Power of Political Rhetoric. *European Journal of International Relations* 13(1): 35–66, 38.

their possession of a weapon in question from this harm. Rather than framing the problem as inherent to specific characteristics of the weapon, they frame it as harmful in the hands of certain actors. This frame legitimizes solutions that restrict such actors from accessing the weapon in question while not requiring the same for great powers. In doing so, it serves to legitimize the status quo and prevent alterations to that status quo.

Small and medium states, meanwhile, frame weapons in terms of their destructive effects. This framing also identifies the source of the problem with the actors that dominate the production and/or use these weapons, not those who could potentially use or produce them. This framing (often referred to as the humanitarian effects frame)<sup>83</sup> both identifies the source of the problem with specific actors and legitimates certain governance solutions while delegitimizing others. Although this framing emphasizes the harm caused by and humanitarian consequences of weapons use, it is distinct from altruism: although these concerns are genuine, this framing also emphasizes them in service of a broader objective.

In contrast to great powers' efforts to focus on other actors' (potential or actual) possession and/or use of the weapon in question, this framing delegitimizes and stigmatizes great powers' production and/or possession of these weapons—and by extension, their dominance in world politics. For example, framing in terms of their destructive effects makes irrelevant questions of whether multilateral weapons governance will advance strategic stability and marginalizes governance approaches that emphasize the preservation of strategic stability. It instead prioritizes responses that address small and medium states' vulnerability to these weapons. In multilateral governance of other issue areas, small states have also highlighted their vulnerability to greater forces as a key part of their effort to simultaneously reframe the nature of

---

<sup>83</sup> E.g., Petrova 2007; Gibbons 2018, 17-23.

the issue and develop new norms that challenge a hierarchical order.<sup>84</sup> In reframing weapons to focus on their harmful effects, small and medium states attempt to shift the burden of proof to great powers and other states that oppose the initiative, challenging the appropriateness of the weapon in question and by extension, great powers' dominance.

### *Building Support*

Fundamentally, multilateral agreements require proponents to convince other states to support and participate in the agreement. Even in 'coalition of the willing' initiatives like the Proliferation Security Initiative, the United States had to convince other states that the threat posed by undetected trafficking of weapons of mass destruction (WMD) materials warranted such a response to prevent it. Due to their disproportionate capabilities, great powers are often able to heavily shape the negotiating process and outcome. Although states rarely get everything they want in multilateral negotiations, great powers' ability to invest significant political and social capital in multilateral initiatives and negotiations and their rank at the top of the international pecking order make the agreements likely to reflect their top preferences.<sup>85</sup> These states are also well-endowed to offer incentives to neutral or disinterested states to support their initiatives. In addition, US allies often readily support US-led initiatives. When support has been less forthcoming, the United States can exert (and has exerted) pressure on its junior alliance partners to follow its preferences in multilateral weapons governance initiatives.<sup>86</sup> In addition to material inducements, the legitimacy and authority afforded to great powers by both their

---

<sup>84</sup> Jack Corbett, Xu Yi-Chong, and Patrick Weller. 2019. Norm entrepreneurship and diffusion 'from below' in international organisations: How the competent performance of vulnerability generates benefits for small states. *Review of International Studies* 45(4): 647-668, 654.

<sup>85</sup> Pouliot 2016, 76.

<sup>86</sup> Miller 2018.

material capabilities and their social capital also helps them secure the consent of other states. Given these resources, great powers are unlikely to rely on or cultivate relationships with NGOs to build support for their initiatives.

Although building multilateral support is rarely a challenge for great powers, securing the cooperation of particular states—particularly those who would be most affected by the proposed regulation—can be. In addition, agreements led by a small concert of great powers may lack legitimacy in the views of small and medium states, especially those outside of alliances with great powers. If great powers perceive the participation of small and medium states as necessary to the success and/or legitimacy of their initiative,<sup>87</sup> they may offer concessions to secure the support of small and medium states. Thus, while great powers may have little difficulty building numerical support, they may have to offer concessions or incentives to secure the support of key actors of concern and/or the legitimacy conferred by small and medium states’ participation.

Small and medium states do not have great powers’ material and social dominance to induce other states to join their weapons governance initiative. Thus, they rely on different strategies to build support. Specifically, small and medium states build support for multilateral weapons governance not by appealing to great powers but through ‘collective power’ based on recruiting as many small and medium states as possible to serve as a counterweight to great powers. The lack of leadership from great powers opens space for other states to lead but does so in a way that creates a more even playing field—power is less asymmetric among the remaining states. Thus, the lack of a single powerful leader able to shape the playing field means that weapons governance by small and medium states is likely to be led not by one or two particular

---

<sup>87</sup> For example, Corbett, Yi-chong, and Weller argue that engaging small states is critical for the sustained legitimacy of international organizations. Corbett, Yi-chong, and Weller 2021, 30-35.

states but by a coalition of states working together. In examining multilateral governance of other issue areas, Deitelhoff and Wallbott likewise find that coalition-building is an important strategy for small states to offset their disadvantages relative to great powers in multilateral negotiations and carry their initiatives through to a negotiated agreement.<sup>88</sup>

To build support among small and medium states, coalition leaders emphasize small states' shared histories and affinities, such as regional or post-colonial solidarity. Coalition-building and focusing on building support among small and medium states also creates a different basis for legitimacy than initiatives led by great powers (in which legitimacy comes from the participation of the most powerful). The legitimacy of initiatives led by small and medium states is based on the number of states in support of the agreement rather than the involvement of the primary users and producers of the weapon.<sup>89</sup> Thus, while small and medium states may seek the participation of great powers, building support for the initiative is not aimed at the participation of any single state.

### *Controlling the Institutional Format*

Different negotiation formats privilege particular actors and ideas while barring others.<sup>90</sup> The choice of institutional format is a critical step in shaping the outcome of the initiative, as different institutional forms have different rules, norms, precedents, and opportunities for membership. For example, during the Cold War, the United States and the Soviet Union often limited informal negotiations to bilateral

---

<sup>88</sup> Nicole Deitelhoff and Linda Wallbott. 2012. Beyond soft balancing: small states and coalition-building in the ICC and climate negotiations. *Cambridge Review of International Affairs* 25(3): 345-366, 348-349.

<sup>89</sup> In other words, the broad recognition (even if not internalization) of the norm by many states.

<sup>90</sup> See literature on forum-shopping; e.g., Karen Alter and Sophie Meunier. 2009. The Politics of International Regime Complexity. *Perspectives on Politics* 7(1): 13-24; Julia Morse and Robert Keohane. 2014. Contested multilateralism. *Review of International Organizations* 9(4): 385-412.

channels at first before opening up their agreement to all others.<sup>91</sup> By restricting the pre-negotiations to the two countries, they restricted others' ability to influence negotiations—even when the agreement was ultimately intended to be multilateral, not bilateral. Leaders of an initiative may also restrict the scope of the agenda to limit others' involvement. For example, they might confine it to highly technical topics, which require a great deal of specialized knowledge (e.g., regarding export controls of particular items) to restrict participation to a small group of countries.

Broadly, great powers choose institutional formats for negotiating that allow them to retain control over the process and outcome of negotiations. Important in this regard is the privilege to veto (formally or informally) proposals they disagree with. Negotiating bodies that operate by consensus allow all states to veto proposals with which they disagree. However, the veto is disproportionately a tool of great powers, who are less reliant on multilateralism as a tool of foreign policy than small and medium states.<sup>92</sup> Although few negotiating bodies formally require consensus (the Conference on Disarmament being a notable exception), many operate by informal norms and practices of consensus that de facto allow great powers to veto proposals with which they disagree. Informal 'pecking orders' also stratify states in multilateral negotiations even when formal rules purport equality among states.<sup>93</sup>

Given great powers' reluctance to give up their authority and control over rule-making, they also often refrain from working through formal international negotiating venues and instead pursue informal agreements with select partners. Informal agreements—lacking legally binding requirements for any state—also enable great

---

<sup>91</sup> For example, on the issue of peaceful nuclear explosions in the Treaty on the Prohibition of Nuclear Weapons. Paul Warnke. 2018. Peaceful nuclear explosions: from the Limited Test-Ban Treaty to the Non-Proliferation Treaty. In Sarah Bidgood and William Potter, eds. *Once and Future Partners: The US, Russia, and Nuclear Non-proliferation*. London: Routledge. 79-116.

<sup>92</sup> Steinberg 2002.

<sup>93</sup> Pouliot 2016, 37-42.

powers to exempt themselves from agreement proposals they dislike. Insisting on consensus in formal (treaty-based) settings or creating an informal initiative are both ways for great powers to create exemptions and exceptions and thus maintain their status quo dominance.

Small and medium states also choose institutional formats that enable them to shape the outcome of negotiations. They choose institutions that operate via procedural equality (i.e., ‘one state, one vote’), make decisions on a majoritarian basis, and do not enshrine special privileges for great powers (e.g., weighted voting or veto roles). Given that small and medium states far outnumber great powers, majoritarian voting—both *de jure* and *de facto*—is a valuable tool for their efforts to reshape relations with great powers. Moreover, universal formats open to all states grant greater procedural legitimacy to the initiative. This is particularly important for small and medium states due to their lack of material and social power. Thus, they are more likely to choose fora that are—at least in principle—open to all states (either globally or within a given region). They may take advantage of existing institutions that fit this description or negotiate agreements outside of pre-existing institutions.

By choosing institutional frameworks that eschew the principle of consensus, such states are better able to control the negotiating process, given their overwhelming numbers, and thus the content of the outcome agreement. For example, in the Mine Ban Treaty and Cluster Munitions Convention, like-minded small and medium states decided to negotiate these agreements through a coalition of the willing approach outside of the traditional UN disarmament machinery. This approach was decisive for their success.<sup>94</sup> Examining the format through which states pursue multilateral weapons governance sheds light on the necessary conditions for reaching an

---

<sup>94</sup> Simone Wisotzki. 2009. *Between Morality and Military Interests: Norm Setting in Humanitarian Arms Control*. Report No. 92. Peace Research Institute Frankfurt.

agreement. Although many scholars and policymakers emphasize that adversaries must have sufficient mutual interests to come to the negotiating table,<sup>95</sup> multilateral weapons governance is often negotiated between likeminded states rather than adversaries, and does not require the participation of all relevant parties.

### ***Outcomes: Form and Content of Agreements***

#### *Great Powers: Preserving Status Quo Dominance*

Great powers' objectives in pursuing multilateral weapons governance do not require or indicate a particular form for agreements. Instead, great powers will choose the form of the agreement (either legally binding or informal) depending on whether legally binding agreements would require them to make significant compromises on issues that threaten the stability of the status quo or whether they would lock in the stability of the status quo. International law can stabilize great powers' dominance in international relations and preserve advantages, or it can undermine their dominance by promoting sovereign equality among states, including potential challengers.<sup>96</sup> Informal agreements, meanwhile, can serve hierarchical decision-making and governance while allowing great powers more flexibility.<sup>97</sup> Whether legally binding treaties serve great powers interests, therefore, depends on how they assess these tradeoffs. However, given the post-Cold War trend of domestic US difficulties in securing ratification of weapons governance treaties, agreements led by great powers in the post-Cold War period are more likely to be informal agreements than legally binding treaties.

---

<sup>95</sup> Potter and Bidgood 2018, 222.

<sup>96</sup> Krisch 2005, 377; Ikenberry 2011.

<sup>97</sup> Nico Krisch. 2014. The Decay of Consent: International Law in an Age of Global Public Goods. *American Journal of International Law* 108(1): 1-40, 29-30.

Still, great powers' motivations in pursuing multilateral weapons governance—namely their efforts to preserve the status quo—are likely to lead to several distinguishing features of the resultant agreement. First, agreements led by great powers are likely to include provisions that provide greater information about other states' activities (i.e., detailed provisions for monitoring, verification, and inspections). Examples include information exchanges, reporting requirements, and provisions that allow some form of inspections. These measures do not require great powers to make significant material changes to their military arsenals. Instead, these provisions serve to ascertain that other states are not developing new capabilities that would threaten the status quo.

Second, to preserve their status quo dominance, great powers are also likely to pursue agreements that involve confidence-building measures, nonproliferation, and/or export controls, rather than disarmament. These types of regulation place few restrictions on the activities of great powers and instead work to prevent new states from acquiring particular weapons. In doing so, they enable great powers to preserve their dominant position while limiting the ability of potential challengers to acquire potentially destabilizing weapons. As Bull notes, the emphasis on preventing the spread of weapons (i.e., nonproliferation) as a critical tool to preserve international security “is an argument which serves to rationalize the existing distribution of power.”<sup>98</sup> Although great powers may accept limits on their own capabilities as part of such agreements, such limits do not require significant behavioral changes that would weaken their dominance.

In addition, the scope of agreements led by great powers is likely to be expressly restricted to the particular characteristics of the weapon at hand and be narrowly, rather than broadly defined, in order to limit the current and future scope of

---

<sup>98</sup> Bull 1976, 6.

the regulation.<sup>99</sup> The agreement is likely to be framed by its proponents as the culmination of a bargaining process and the codification of a norm, rather than as an intermediary step to build support for certain objectives, to limit the ways in which it can be interpreted. These measures advance stability by restricting the ramifications of weapons governance agreements. At the same time, to preserve their status quo dominance, great powers are also likely to insist on provisions that preserve their ability to veto proposals they disagree with (i.e., decision-making by consensus), submit formal reservations exempting themselves from aspects of the agreement, and otherwise carve out exceptions and refuse to let others make the rules for them.<sup>100</sup> Historically, great powers have built in special preferential rights for themselves when designing new institutions.<sup>101</sup> In sum, great powers pursue multilateral weapons governance to preserve their status quo dominance and prevent other states from acquiring or using weapons that could threaten their dominance.

#### *Small and Medium States: Exercising Agency and Influence*

Because small and medium states place great importance on international law as a tool for exercising increased agency and influence, they are likely to pursue legally binding treaties rather than informal initiatives to regulate weapons. They are also likely to include provisions that reference the importance of international law. Treaties offer such states an “especially authoritative” platform for organizing relations between states because international law “[constitutes] actors and defin[es]

---

<sup>99</sup> This draws on Bull’s discussion of the conditions under great powers are likely to pursue arms control. Hedley Bull. 1959. Disarmament and the International System. *Australian Journal of Politics and History* 5(1): 41-50, 30, 34.

<sup>100</sup> This draws on Ikenberry’s discussion of US (caveated) support for multilateralism. Ikenberry 2003, 540-545.

<sup>101</sup> Bower 2017.

the boundaries of (un)acceptable action.”<sup>102</sup> In addition, international law and legally binding treaties facilitate small and medium states’ effort to exercise increased agency and influence because they provide a (potential foundation) for the objectives enshrined in treaties to become customary international law.

Driven by an aspiration to change the status quo, participants and especially leaders in these negotiations view weapons governance agreements as a step rather than the culmination of a process of negotiation and norm-building, and believe that support for the initiative’s goal will continue to grow—including support among the great powers.<sup>103</sup> New norms “make new types of action possible,” even if they do not necessarily lead to certain results.<sup>104</sup> Thus, even when great powers do not initially support an initiative, small and medium states often consider these agreements important steps (and even successes) because they view them as a step in building support for a norm and changing the status quo. By stigmatizing certain aspects of a weapon, such agreements are intended to create a new consensus regarding appropriate behavior and eventually change other states’ behavior.<sup>105</sup> As part of this, proponents of the initiative attempt to shift the burden of proof to skeptics, forcing great powers to demonstrate that their production, use, export, or other activities regarding the weapons in question are appropriate.<sup>106</sup> This effort to stigmatize the weapon and shift the burden of proof should be reflected both in statements by small

---

<sup>102</sup> Adam Bower. 2015. Norms Without the Great Powers: International Law, Nested Social Structures, and the Ban on Antipersonnel Mines. *International Studies Review* 17(3): 347–373, 349.

<sup>103</sup> This draws on Finnemore and Sikkink’s account of international norm development dynamics. Finnemore and Sikkink 1998.

<sup>104</sup> Ronald Jepperson, Alexander Wendt, and Peter Katzenstein. 1996. Norms, Identity, and Culture in National Security. In Peter Katzenstein, ed. *The Culture of National Security: Norms and Identity in World Politics*. New York: Columbia University Press, 56.

<sup>105</sup> Similarly, Bower shows how “non-great power law making” reflects a perception that these issues can be addressed “via strong rules with incomplete membership that may be expanded over time.” Bower 2017, 2.

<sup>106</sup> This draws on Finnemore’s argument regarding how the development of new norms shifts the burden of proof for actors involved in a particular activity. Martha Finnemore. 2003. *The Purpose of Intervention*. Ithaca: Cornell University Press.

and medium states during the negotiating process and in the content of the agreement, which should include extensive language emphasizing the destructiveness of the weapons in question.

In addition, small and medium states are likely to insist on provisions that explicitly require all states to comply with all elements of the agreement and that do not permit reservations or other exemptions. They do so to prevent great powers from carving out exceptions for themselves that would weaken these efforts at international rule-making. Concerns regarding the damages that result from these weapons are also likely to lead to language in agreements that explicitly acknowledges the suffering caused by these weapons.

Because the states leading such weapons governance initiatives are usually not the major producers or users of the weapons involved, stability is likely to be a lower priority for them. This is because stability between great powers does not contribute to reducing the damage caused by weapons, and it does not change relations between great powers and small/medium states. Small and medium states are therefore likely to disregard efforts to advance or preserve stability in weapons governance. For instance, Petrova finds that in the case of the Cluster Munitions Convention, small and medium states considered proposals motivated by military and economic considerations to be illegitimate because such motivations went against the humanitarian motivations driving the initiative.<sup>107</sup> When stability is delegitimized as an appropriate objective to pursue, the content of agreements led by these actors are likely to do little to enhance stability and may even undermine it. For example, such agreements are unlikely to include strong verification provisions or other intrusive mechanisms that provide detailed information about other states' activities.<sup>108</sup>

---

<sup>107</sup> Petrova 2016, 394.

<sup>108</sup> For example, Wisotzki notes how the Mine Ban Treaty provides for technical and financial assistance for clearing mines, but lacks strong formal verification provisions. Wisotzki 2009.

### *Middle Cases*

These expectations for the drivers, process, and outcomes of multilateral weapons governance by great powers and small/medium states are not binary categories but a continuum. Initiatives led by small/medium states will still include some of the concerns of great powers and vice versa but will be dominated by the objectives of the states leading them. Multilateral weapons governance (like other forms of international cooperation) involves a process of negotiation. Still, in cases near the middle of the continuum—when both great powers and small/medium states actively seek to govern a particular weapon for different reasons—the process and outcome of the initiative are likely to differ in distinct ways from initiatives led by either great powers or small/medium states. In such cases, should an agreement result from this process, it is likely to be an uneasy compromise between the two sets of objectives these categories of states seek and an agreement that does not significantly advance the goals of either.

To some degree, these agreements are likely to reflect the objectives of great powers and of small and medium states in ways consistent with the goals pursued by each category of states. Specifically, providing increased information about states' activities and reducing the destructive consequences of a particular weapon (by limiting actors' possession and/or use of it) are compatible objectives. Small and medium states may benefit from information-sharing, even if receiving additional information about other states' military capabilities is not their primary objective in multilateral weapons governance. Moreover, small and medium states can gain agency through the process of negotiating multilaterally over weapons governance and secure great powers' acknowledgment of their concerns regarding vulnerability. These offer points of compromise even when great powers and small/medium states view the weapon through distinctly different frames.

Yet, although all processes of cooperation and reaching agreement involve some level of compromise, issues that are salient for both great powers and small/medium states are particularly likely to include objectives that are in tension with one another. The tension between small/medium states' efforts to exercise greater agency and influence and change the status quo, on the one hand, and great powers' attempts to preserve their status quo dominance, on the other, are likely to lead to challenges in reaching an agreement that satisfies most parties. These objectives are often fundamentally at odds with one another.

The outcomes of these agreements are expected to reflect the tension between great powers' attempts to preserve their dominant position and small/medium states' efforts to exercise agency. Agreements led by a mix of great powers and small/medium states are likely to provide small and medium states with greater agency in the process of negotiations and place some limits on the weapon in question. Ultimately, however, they place few practical restrictions on great powers or require significant changes by great powers. Although great powers require the support (or at least consent) of small/medium states for multilateral agreements, they still retain considerable social and material resources with which to pressure smaller states, shape negotiations to their benefit, and advance their objectives. Mantilla similarly theorizes how in negotiations over laws of war regulating non-international armed conflict, social opprobrium and forum isolation by small and medium states can pressure great powers into acquiescing to some of their demands. At the same time, great powers are also capable of using social and material influence to push back and circumscribe the practical effects of these efforts.<sup>109</sup>

---

<sup>109</sup> Giovanni Mantilla. 2020. *Lawmaking Under Pressure: International Humanitarian Law and Internal Armed Conflict*. Ithaca: Cornell University Press, 23-24, 28.

Despite these differences, great powers and small/medium states are often still able to reach an agreement that both types of states join. However, in such circumstances, they are likely to perceive the ultimate agreement as weak, highly flawed, or lacking in fundamental ways. Great powers are likely to view such agreements as too destabilizing to the status quo, while small and medium states are likely to be frustrated that such agreements do not go far enough in limiting great powers' possession, export, and/or use of these weapons, and associated dominance. The negotiations leading to and the outcome of the 2001 Firearms Protocol (the first global treaty to address illicit firearms trafficking) exemplify these dynamics. During negotiations, small and medium states pushed for broad measures to comprehensively curb the illicit trade in small arms and thereby reduce the destruction caused by these weapons. However, great powers opposed measures that would constrain the legal trade in small arms (which they dominated), and the treaty only addresses transfers from states to non-state armed groups.<sup>110</sup> States ultimately concluded a treaty narrowly focused on crime and law enforcement. Many of the treaty's provisions are recommendations rather than requirements, and the result was considered much weaker than what many small and medium states had hoped for.<sup>111</sup>

### *Alternative Explanations*

#### *Multilateral Weapons Governance as Rational Design*

Drawing on rationalist literature on the design of international institutions, one might argue that motivations for and outcomes of multilateral weapons governance are not best explained by key differences among states but rather by the nature of the challenge that requires governance. This logic offers an explanation both for why

---

<sup>110</sup> The treaty also contains language that it does not apply in cases of national security concerns.

<sup>111</sup> Small Arms Survey. 2002. *Small Arms Survey 2002: Counting the Human Cost*. Geneva: Small Arms Survey, 239-240.

states pursue multilateral weapons governance and why agreements take certain forms. It expects that states will pursue such agreements when the costs to do so are low for them and when they expect that their transactional costs in a given domain will be lowered by reaching an agreement. Regarding why agreements take the various forms they do, Koremenos et al. provide the foundational argument in this vein: agreements take different forms depending on the challenges posed by a) the distribution and enforcement problems facing participants, b) the number of actors and the asymmetries among them, and c) actors' uncertainty about others' behavior, the state of the world, and others' preferences.<sup>112</sup> Variation in the form of agreements—specifically, their membership, scope, centralization, control, and flexibility—is thus due to variation in these challenges, which agreements are designed to address.<sup>113</sup> In extending this framework to examine the design of nuclear arms control agreements, Kreps finds that higher levels of obligation make it more difficult for actors to conclude an agreement, due to high levels of uncertainty regarding the future.<sup>114</sup> They thereby seek to avoid tying their hands through arms control agreements with high levels of obligations.

In a related vein of rationalist scholarship, Coe and Vaynman contend that (bilateral) arms control is difficult to achieve because it involves a fundamental tradeoff between seeking transparency regarding another state's capabilities and intentions, and seeking to preserve secrecy regarding one's own capabilities and intentions outside the scope of the arms control agreement.<sup>115</sup> When unilateral

---

<sup>112</sup> However, such scholarship conceptually equates uncertainty (which is unknown and unknowable) with risk (in which the unknown is still probabilistic and can thus be managed). If aspects of the future are truly uncertain, multilateral weapons governance cannot manage or mitigate this uncertainty. See Stephen Nelson and Peter Katzenstein. 2014. Uncertainty, Risk, and the Financial Crisis of 2008. *International Organization* 68(2): 361-392.

<sup>113</sup> Barbara Koremenos, Charles Lipson, and Duncan Snidal. 2001. The Rational Design of International Institutions. *International Organization* 55(4): 761-799, 773, 797.

<sup>114</sup> Sarah Kreps. 2018. The Institutional Design of Arms Control Agreements. *Foreign Policy Analysis* 14(1): 127-147, 143-144.

<sup>115</sup> Coe and Vaynman 2020, 342-343.

monitoring can detect cheating, this tradeoff can largely be avoided.<sup>116</sup> If such a tradeoff is central to multilateral weapons governance as well, it should be a primary concern for states in the process leading to an agreement, and questions of monitoring and compliance should be central as well.

In contrast to the theoretical explanation developed in this chapter, rationalist expectations do not seek to capture the specific types of objectives that actors seek to advance through agreements. Yet many scholars who focus on the objectives that actors seek through multilateralism (for different issue areas) often emphasizes that governance should not be equated with cooperation, and instead interrogates who benefits from international governance.<sup>117</sup> As Bower notes, “the question of choice in institutional design is never a politically neutral response to prevailing incentives, but is rather profoundly shaped by geopolitical realities.”<sup>118</sup> In addition, as Wendt suggests, the process of problem construction takes place prior to questions of functional efficiency.<sup>119</sup> Understandings of costs, benefits, and tradeoffs from weapons governance are likely to be different depending on the objectives actors seek through weapons governance.<sup>120</sup> For example, in weapons governance, the theory developed in this chapter expects great powers and small/medium states to have different concerns about other states’ behavior and as a result, design agreements intended to address different problems.

Additionally, literature on the rational design of international institutions and agreements often assumes that states agree upon the nature of the issue they seek to address and is less concerned with the different ways through which power operates in

---

<sup>116</sup> Ibid., 345-346.

<sup>117</sup> E.g., Ian Hurd. 2020. The Case Against International Cooperation. *International Theory* 12(4): 1-22;; Corbett, Yi-chong, and Weller 2021.

<sup>118</sup> Bower 2017, 11.

<sup>119</sup> Alexander Wendt. 2001. Driving with the Rearview Mirror: On the Rational Science of Institutional Design. *International Organization* 55(4): 1019-1049, 1024.

<sup>120</sup> Mantilla makes a similar distinction. Mantilla 2020.

multilateral agreements. Although Koremenos et al. acknowledge the degree of asymmetry among actors as a variable affecting the outcome of institutional form, they (and other scholars in this vein) devote relatively little attention to this variable. Moreover, rational design explanations anticipate that when relations are asymmetric (as they often are in international security), great powers will exert greater control over the outcome agreement.<sup>121</sup> However, this fails to explain how and why weaker states pursue and are able to reach agreements in weapons governance, a domain in which relations among states are particularly asymmetric.

To evaluate whether rational choice can explain why states pursue multilateral weapons governance (both regarding why states pursue it and the form of agreements), I examine the nature of the challenge (as expressed by participants in archival documents, interviews, and public statements) in each of the case studies. If these are primarily coordination challenges to overcome collective action problems, participants should emphasize these challenges. For example, participants might underscore the challenge of verifying that other states are not secretly developing nuclear weapons and the need for cooperation to do so. Alternatively, they might see a need to coordinate standards for the arms trade so that no exporter or importer receives an unfair advantage. If the form and content of the agreements follow a rational choice logic, participants should focus on, for example, the tradeoffs between the ability to make credible commitments and resisting intrusive obligations when negotiating and drafting an agreement. At the same time, participants should not pursue multilateral weapons governance agreements when the costs to do so are relatively high.<sup>122</sup>

Evidence for rational choice arguments may overlap with evidence regarding the motivations theorized in this chapter regarding why states pursue multilateral

---

<sup>121</sup> Koremenos, Lipson, and Snidal 2001.

<sup>122</sup> See Tables 1 and 2 for a summary of evidence that would support this theoretical explanation.

weapons governance. However, since rational choice scholarship does not distinguish between great powers and small/medium states, such evidence should be consistent across agreements led by different types of states (i.e., consistent across case studies). If only one category of states emphasizes coordination concerns, this would indicate that rational choice explanations cannot fully explain why states pursue multilateral weapons governance.

### *Domestic Politics as the Driver of Multilateral Weapons Governance*

Many scholars have emphasized the importance of domestic politics for driving states' foreign policies, particularly regarding the development of nuclear weapons programs. Some stress the importance of whether certain leaders, parties, or coalitions are in power domestically as a condition for states' behavior in related areas. For example, Kreps, Saunders, and Schultz argue that Democratic presidents face higher hurdles in securing Congressional ratification of bilateral arms control treaties than Republican presidents do (although they find that these hurdles can be surmounted).<sup>123</sup> Others focus on the role of domestic popular support and public opinion in driving their government to take a more active role in addressing international issues. For example, Knopf contends that US domestic activism against nuclear weapons in the 1970s and 1980s played an important role in leading the United States to enter into bilateral strategic arms control negotiations with the USSR.<sup>124</sup> Still others focus on the importance of domestic political shifts in providing windows of opportunity for adversaries to pursue arms control agreements.<sup>125</sup> Although these examples focus on bilateral rather than multilateral agreements, they

---

<sup>123</sup> Kreps, Saunders, and Schultz 2018, 479-481.

<sup>124</sup> Knopf 1998, 247-248.

<sup>125</sup> Vaynman 2014.

suggest that domestic politics may have important effects on states' international engagement on weapons governance.

Still, compared to literature on the domestic drivers of arming and proliferation, there is a relative dearth of literature that examines the domestic drivers of weapons governance and regulation.<sup>126</sup> The literature that does exist on the domestic drivers of weapons governance focuses on bilateral arms control treaties between the United States and the Soviet Union/Russia, rather than multilateral agreements.<sup>127</sup> Given the key differences between bilateral and multilateral agreements, it is important to assess the extent to which these concerns shape multilateral weapons governance.

Yet, despite the extensive literature on domestic drivers of foreign policy, there are strong reasons to question the extent to which multilateral weapons governance are the product of domestic politics. Regarding explanations focused on public opinion and popular support, while publics in countries that are major producers or users of the weapon in question may be engaged in pressuring their governments, publics in countries that have little involvement in the production or use of such weapons (the majority of countries in the world) are likely to be less engaged on these issues. Furthermore, in non-democratic countries, it is more difficult for public opinion to influence policymakers on foreign policy issues than in democratic countries.<sup>128</sup> In addition, most weapons governance agreements have been developed (and in some

---

<sup>126</sup> For an excellent overview of the literature on domestic drivers of nuclear proliferation, see Elizabeth Saunders. 2019. The Domestic Politics of Nuclear Choices— A Review Essay. *International Security* 44(2): 146–184.

<sup>127</sup> In addition to the previous examples given, see also Matthew Evangelista. 1999. *Unarmed Forces: The Transnational Movement to End the Cold War*. Ithaca: Cornell University Press; Cameron 2017. Petrova 2007 is an important exception in this regard, but focuses on norm entrepreneurship and the development of new norms rather than on the development of treaties, per se.

<sup>128</sup> E.g., Joseph Fewsmith and Stanley Rosen. 2001. The Domestic Context of Chinese Foreign Policy: Does 'Public Opinion' Matter. In David Lampton, ed. *The Making of Chinese Foreign and Security Policy in the Era of Reform, 1978-2000*. Palo Alto: Stanford University Press; Bruce Bueno de Mesquita, Alastair Smith, James Morrow, and Randolph Siverson. 2003. *The Logic of Political Survival*. Cambridge: MIT Press.

cases, negotiated) over periods spanning many years and multiple administrations in numerous countries. This indicates that continuity across governments (in a given country) in the pursuit of these objectives might be the norm, rather than the exception, in multilateral weapons governance. However, it is an empirical question whether domestic politics make a significant difference in multilateral weapons governance for most states.

As an alternative explanation, I examine whether either domestic political changes in government leadership or popular support and public opinion explain the pursuit and design of multilateral weapons governance agreements. In examining the role of domestic politics on the motivations for and design of multilateral weapons governance agreements, I assess both a) whether domestic factors in particular countries were decisive for the outcome of the multilateral agreement (i.e., whether domestic politics in particular countries led these countries to take positions that directly altered the form, content, and/or existence of the agreement) and b) whether domestic factors drove most states' decision-making on these issues.<sup>129</sup> Explanations based on domestic politics do not lead to specific expectations regarding the form and content of the agreement, but rather that these result from domestic factors that decisively shape states' foreign policy decisions regarding multilateral weapons governance.

To examine these alternative expectations, I use archival evidence and elite interviews to investigate how leaders of an initiative decided to undertake the initiative. If these decisions were made due to domestic political pressures and considerations, I expect they will be reflected in their explanations, either in terms of why they considered it necessary to pursue the initiative, or concerns regarding

---

<sup>129</sup> See Tables 1 and 2 for a summary of evidence that would support these alternative theoretical expectations.

domestic backlash if they did not. I also examine shifts in consequential states' positions on the initiative, and the motivations driving these shifts. If these shifts were due to domestic politics, I expect they would occur after a new government comes to power and/or in response to domestic popular pressure from the public. Assessing the influence of domestic politics in driving states' decisions on multilateral weapons governance enables an evaluation of how (and the extent to which) domestic politics influenced the process and outcome of the initiative.

### *Assessing Evidence*

I examine the objectives states seek in multilateral weapons governance and the process via which they pursue these objectives through three case studies (Chapters 4-6): the Treaty on the Nonproliferation of Nuclear Weapons, the Treaty on the Prohibition of Nuclear Weapons, and the Convention on Certain Conventional Weapons. I use these specific cases because these are diverse examples that provide maximum variance along the relevant dimension of leadership.<sup>130</sup> To assess how differences in the category of states leading the initiative explain the objectives the initiative seeks, the process through which they pursue these objectives, and the outcome of the agreement, it is necessary to choose a set of cases that take each value of the leadership variable. At the same time, these are representative cases within each category of leadership. As the next chapter shows, 68 percent of agreements led by great powers govern nuclear weapons, as do 32 percent of agreements led by small and medium states. Thus, agreements governing nuclear weapons are typical both of leadership by great powers and by small/medium states.<sup>131</sup> In addition, choosing cases that govern nuclear weapons enables a comparison of similar cases (i.e., governing the

---

<sup>130</sup> Gerring 2008, 650–651.

<sup>131</sup> Agreements led by small and medium states are highly heterogenous in the type of weapon they govern, but most frequently govern either nuclear weapons or small arms/light weapons.

same type of weapon), but led by different categories of leadership. For the mixed leadership category, 76 percent of agreements in this category govern conventional weapons, making the Convention on Certain Conventional Weapons a typical case for this category. In addition, the theoretical expectations developed in this chapter apply to multilateral governance of all types of weapons (not just nuclear weapons). Choosing a non-nuclear treaty for this case study also enables an assessment of the extent to which these expectations explain non-nuclear agreements.

In the case studies, I assess the theoretical expectations developed in this chapter by examining the statements and actions of state representatives and other participants in the negotiations leading to these treaties, as well as statements and actions ascribed to them by their interlocutors. To do so, I rely on interviews, public statements, archival records, and memoirs. I use sources from as many different actors as possible to provide a comprehensive understanding of the dynamics involved in leading to the agreement. Because these are case studies of agreements, rather than specific countries' positions on agreements, it is important to gather data on a large number and wide variety of actors' views and actions regarding the agreement.

Although actors may not always express their true objectives in multilateral forums, the narratives they present and the actions they take reflect how they communicate their objectives and preferences to others. In the multilateral context, states cannot create outcomes on their own: to achieve their desired outcomes requires changing the behavior of other states. Thus, how states attempt to justify their preferred positions to others reveals what they want the particular agreement in question to do—or not do. For example, while I do not expect the United States and the Soviet Union to publicly declare that they employ multilateral weapons governance agreements to maintain their dominant position in world politics, I do expect them to directly communicate their opposition to proposals that would place

restrictions on them and to express their opposition in such terms. I expect that in most cases, state representatives do not communicate explicit falsehoods in their multilateral statements. Still, to identify concealed positions, I employ interviews with participants in these negotiations, memoirs from negotiators, and US government archives to uncover any salient objectives in these negotiations that participants do not express publicly.

Tables 1 and 2 list the evidence that would support each key element of the theory. The theoretical expectations in this chapter refer to ideal types: actual agreements might not include all provisions listed below. However, if many provisions expected in initiatives and processes led by great powers are found in agreements led by small and medium states (or vice versa), or if few expected components are found, this could undermine the empirical validity of the theoretical account present here. Yet such situations could challenge the empirical validity of the theoretical expectations in different ways. For example, the leaders of the initiative may have lost control over the process and are unable to articulate their preferences in the outcome agreement, and thus the agreement would fall into the category of middle cases. Alternatively, such outcomes might be explained as rational design solutions to cooperation challenges. Thus, the case studies in Chapters 4-6 are essential to assess the relationship between the outcome and the motivations-based evidence.

*Table 1: Purpose in Multilateral Weapons Governance*

	Purpose	Evidence
Great Powers	Preserve status quo dominance	-Express concerns about future shifts in capabilities -Express concern about their own future limitations
Great Powers	Prevent new threats	-Express concerns about a new (future) weapon -Express concern about existing actors acquiring (and using) a weapon they do not currently possess -Express concern about unknown capabilities and/or intents of other actors
Small and Medium States	Exercise agency and influence	-References to contributions of small and medium states in governing weapons -References to the importance of their role in governing the issue -References to their present lack of agency and influence
Small and Medium States	Reduce vulnerability	-Express concern over their security being threatened by these weapons -References to their vulnerability relative to great powers -References to great powers making the rules
Rational Design	Solve coordination challenges	-Express concern about enforcement challenge -Emphasize (risk-based) uncertainty about others' behavior, the state of the world, and others' preferences -Express need for both transparency and secrecy
Domestic Politics	Maintain popular support	-Majority of states and/or key states pursue and/or support agreement due to domestic popular pressure, including concern over public backlash if they fail to do so
Domestic Politics	Implement party platform	-Changes in domestic ruling coalition create shifts in states' foreign policy positions that lead them to pursue weapons governance

*Table 2: Key Procedural Elements in Multilateral Weapons Governance*

	Element	Evidence
Great Powers	Framing	-Framing their possession/use of weapons as legitimate -Framing problem as other actors' possession/use of the weapon
Great Powers	Build support	-Building support among key stakeholders -Building support among allies -Small concessions to build support
Great Powers	Choice of institutional format	-Consensus decision-making -Institutional bodies with limited participation or differentiated authority -Informally limit the number of states that directly negotiate the agreement
Small and Medium States	Framing	-Humanitarian framing -Framing problem as great powers' possession/use of the weapon
Small and Medium States	Build support	-Building broad support among small/medium states -Emphasizing small and medium states' shared history and identities (e.g., regional or non-aligned solidarity) to build support
Small and Medium States	Choice of institutional format	-Procedural equality -Majoritarian voting -Use of the UN General Assembly
Rational Design	Solving coordination challenges	-More obligations increase difficulty of reaching an agreement -Questions of membership, scope, centralization, and flexibility of the agreement are based on the nature of the coordination challenge -Tradeoff between transparency and secrecy as central issue in negotiations
Domestic Politics	Maintain popular support	-Countries' support for the initiative or core proposals shifts due to domestic public demands (through the pressure they create on governments)
Domestic Politics	Changes in domestic politics make an agreement possible	-Core proposals emerge when there is a change in the key country/countries' domestic ruling coalition -Procedural deadlock is overcome when ruling coalition changes

## ***Conclusion***

In sum, this chapter develops a theory of why and how great powers and small/medium states pursue weapons governance to achieve different objectives, reflecting their different positions in world politics. Although both great powers and small/medium states seek to promote international peace and security, the sources of security (and vulnerability) vary for these two categories of states. Their opportunities to ensure that security under the status quo are also distinctly different. As a result, their use of multilateral weapons governance to advance their security also differs. Likewise, both great powers and small/medium states pursue multilateral weapons governance in an effort to constrain other actors rather than themselves. Weapons governance varies in the types of constraints and regulations it creates (for both actors and weapons), and these constraints can either preserve and maintain the status quo or undermine it.

States' ability to achieve agreements that express their objectives, however, depends on their ability to authoritatively frame the issue, build support for an agreement, and choose the institutional form for the agreement. Their different strategies in each of these elements reflect both the objectives they seek and their position (and associated resources and opportunities) in world politics. Chapters 3-6 examine these dynamics to explain existing weapons governance agreements. However, the theoretical framework developed here can also be applied to understand future efforts to govern weapons (e.g., autonomous weapons).

Regarding the outcome of an agreement, this chapter theorizes the form and content of the written document agreed by states. Other outcomes after this point in the process—including the effectiveness of the agreement, compliance with it, and any subsequent evolution of the agreement—are beyond the scope of this research. Additionally, although the dynamics discussed in this chapter regarding great powers

and small/medium states may appear in other areas of global governance, an analysis of their applicability outside the domain of weapons governance is beyond the scope of this research.

Accounting for both the material and non-material factors (and the ways they interact with one another) that explain states' aims in pursuing multilateral weapons governance provides an explanation for when weapons governance is likely to occur and when it is not. When a weapon (in the hands of certain actors) does not significantly threaten great powers' status quo dominance, they are uninterested in regulating it. When small and medium states are not seriously vulnerable to the effects of a weapon, and when they are not denied agency in their efforts to protect their security, they lack incentives to invest time and resources in multilateral weapons governance. As this chapter discusses, while the impetus for governing a specific weapon may result from an exogenous development that raises concern over the consequences of that weapon's use (potential or actual), the conditions that lead states to view multilateral weapons governance as beneficial reflect their social and material circumstances.

Other scholars have argued that the US refusal to join multilateral agreements is not an indication of US unilateralism but rather a rejection of multilateralism led by other actors.<sup>132</sup> The theory developed in this chapter regarding the differences in multilateral weapons governance led by great powers and led by small/medium states further emphasizes this point. Multilateralism can be a means toward different ends and can either maintain or undermine the dominance of the United States and other great powers. Focusing on interactions among states in multilateralism also underscores how weapons governance is a political process aiming to affect relations

---

<sup>132</sup> E.g., Ikenberry 2003, 534; Caroline Fehl. 2012. *Living with a Reluctant Hegemon: Explaining European Responses to US Unilateralism*. Oxford: Oxford University Press, 6.

among states. The following chapters assess both the generalizability of these expectations across the outcomes of multilateral weapons governance agreements (Chapter 3) and the specificity of *why* and *how* states pursue multilateral weapons governance in three case studies (Chapters 4-6).

## CHAPTER 3

### PATTERNS IN MULTILATERAL WEAPONS GOVERNANCE

#### *Introduction*

A wide variety of multilateral agreements govern the production, possession, trade, and use of different weapons. These agreements regulate areas from Antarctica to outer space, and weapons ranging from nuclear weapons to small arms and light weapons. Some are legally binding treaties, while others are informal political agreements that do not require domestic ratification. Although detailed histories of many specific agreements have been written, far less is known about patterns across these agreements. How do multilateral agreements to regulate weapons compare to one another? What are the patterns of similarities and differences among them? How does the type of states (great powers or small/medium states) leading these initiatives affect the design of agreements?

Multilateral weapons governance agreements are political objects, created by political actors for political purposes. At the same time, they do not exist independently from one another: they overlap with, draw upon, and influence one another. Examining patterns in these agreements, including in their texts, offers insights into the issues they are intended to address and the relationships among agreements. Moreover, by identifying patterns across multilateral weapons governance agreements, this chapter demonstrates how the specific cases examined in Chapters 4-6 are not anomalies, but are representative of multilateral weapons governance led by each category of states.

In this chapter, I use descriptive statistics and computer-assisted text analysis to examine patterns among multilateral agreements to govern various weapons. To explain these patterns, I employ the theory developed in the previous chapter that

whether leadership in designing and advancing an agreement comes from great powers or from small/medium states is a key variable in accounting for differences in the focus and in the texts of weapons governance agreements. In the descriptive statistics, I find that agreements led by great powers are more likely to involve nonproliferation as a method of regulation than agreements led by great powers, and are also likely to focus on regulating nuclear weapons. Agreements led by small and medium states are more likely to involve prohibitions as a method of regulation and are also more likely to be legally binding than agreements led by great powers. I also find significant differences in the texts of agreements led by small and medium states and those led by great powers: when great powers lead, language tends to focus on governing nuclear weapons and materials (as opposed to other kinds of weapons). Great powers also emphasize language that creates authority for conducting inspections. In contrast, when small and medium states lead, language focuses on governing a variety of weapons—including both nuclear and conventional weapons, as well as small arms and light weapons—but do not emphasize inspections. As I develop further in the following chapters, these differences in the characteristics and texts of multilateral weapons governance agreements reflect different purposes in weapons governance.

This chapter proceeds in the following manner. It first presents the observable hypotheses from Chapter 2 that I assess in this chapter. The second section introduces the data set and presents descriptive statistics on multilateral weapons governance agreements. The third section investigates these descriptive patterns for agreements governing weapons other than nuclear weapons. The fourth section introduces the utility of computer-assisted text analysis for understanding such agreements and analyzes patterns in the language of these agreements using structural topic modeling.

## *States and Weapons Governance*

Chapter 2 developed a theory of why and how states pursue multilateral weapons governance agreements, centered around a distinction between great powers and small/medium states. This chapter tests the outcome-based elements of the theory by examining patterns in the characteristics and texts of agreements. In analyzing the outcome-based characteristics of multilateral weapons governance agreements, I focus on three types of attributes that comprise the core features of multilateral agreements, in both form and content. I examine the type of weapon under regulation, the type of regulation involved, and the legal status of the agreement (whether it is a legally-binding treaty or an informal political agreement). I assess how these attributes differ depending on whether the agreement is led by great powers, small and medium states, or a mix of the two categories. This chapter does not, however, examine the process-based elements of the theory, which are tested in the case study chapters. Nonetheless, the theory presented in the previous chapter offers several observable hypotheses that can be assessed by examining patterns in multilateral weapons governance agreements.

As outlined in Chapter 2, I expect that weapons governance agreements led by great powers are designed to preserve these states' status quo dominance and prevent new threats from rising. In pursuit of these objectives, great powers seek to change others' behavior without changing their own. However, not all forms of regulation are equally suited to this purpose. Nonproliferation and transfer controls are particularly aimed at preserving the status quo by limiting options for states other than the great (military) powers, without affecting their own production, possession, or use of the weapon in question. Although forms of regulation other than nonproliferation and transfer controls may facilitate great powers' purpose of preserving the status quo and preventing new threats from rising, I focus on these two forms of regulation as

exceptionally demonstrative of this objective. This is because both these types of measures do not affect great powers' existing stock of weapons or their ability to indigenously produce more, but rather restrict other (importing or recipient) states from acquiring weapons and technology that great powers already possess. This leads to the following observable hypothesis in the outcome of the agreements:

*H1: Multilateral weapons governance agreements led by great powers will focus on changing other states' behavior through regulations such as nonproliferation and transfer controls.*

Chapter 2 also contends that great powers are likely to be particularly interested in regulating nuclear weapons and preventing new states from acquiring them, given that nuclear weapons are widely considered to be a 'game-changer' in international relations and afford significant prestige to great powers.<sup>133</sup> Although great powers are the major producers and users of many weapons (including several under international regulation), other states' acquisition of other weapons (such as conventional weapons and small arms) do not pose the same level of threat to great powers' position as the acquisition of nuclear weapons does. This leads to the following hypothesis regarding the type of weapon most commonly regulated by great powers:

*H2: Multilateral weapons governance agreements led by great powers will tend to focus on governing nuclear weapons.*

In addition, Chapter 2 proposed that small and medium states are likely to employ weapons governance as a tool to exercise greater agency and influence in international relations. At the same time, their efforts are also driven by concerns over their vulnerability to great powers, given their limited ability to insulate themselves

---

<sup>133</sup> Jervis 1989, 175; O'Neill 2006, 2.

from the damage caused by the use of various weapons. Based on small and medium states' purpose of exercising greater agency and influence internationally while seeking to reduce their vulnerability, they are likely to pursue a variety of agreements for governing different weapons. Vulnerability-based concerns are not concentrated around a particular weapon; nor would regulating any particular weapon offer unique opportunities for exercising greater agency and influence. Unlike great powers, small and medium states are unlikely to focus weapons governance on a particular type of weapon:

*H3: The majority of multilateral weapons governance agreements led by small and medium states will not govern one particular type of weapon.*

Chapter 2 also theorizes that small and medium states employ international law as a way to both reduce their vulnerability to great powers and exercise agency and influence in international governance. Thus, they are likely to conclude legally binding agreements, as opposed to politically binding agreements, in order to place stronger restrictions on great powers. Other scholars have noted how in multilateralism generally, small and medium states have attempted to bind great powers (and the United States in particular) through the use of international law.<sup>134</sup> In contrast, Chapter 2 theorizes that great powers will only pursue legally binding treaties when they view international law as stabilizing their dominance rather than limiting their freedom of action. Thus, I do not expect great powers to consistently pursue legally binding treaties.

*H4: Multilateral weapons governance agreements led by small and medium states will be more likely than agreements led by great powers to be legally binding.*

---

<sup>134</sup> E.g., Ikenberry 2003, 544; Bower 2017.

To additionally reduce their vulnerability to great powers and exercise greater agency and influence, small and medium states are likely to create agreements based on common rules for all states. Although they may regulate a variety of weapons, small and medium states are particularly likely to employ prohibitions as a method of regulation to reduce their vulnerability, exercise agency and influence, and level the playing field between great powers and themselves. In contrast to other forms of regulation, such as nonproliferation or more limited restrictions on weapons, prohibitions require all states to relinquish a certain weapon or activity. This restricts the options of great powers and small/medium states alike, but requires a greater adjustment by great powers that dominate the production, possession, and/or use of the weapon in question. These expectations lead to the following hypothesis:

*H5: Multilateral weapons governance agreements led by small and medium states will tend to focus on common rules for all states, such as prohibitions.*

As Chapter 2 identifies, there are potentially cases in which both great powers and small/medium states seek to govern particular weapons. Such situations may arise, for example, when great powers are concerned about the destabilizing effects of a particular weapon but small and medium states are also concerned about their vulnerability to great powers' unchecked production and/or use of the weapon in question. I expect that agreements led by a mix of great powers and small/medium states will result in compromise agreements that share some similarities with agreements led by great powers and other similarities with agreements led by small and medium states. At the same time, such situations are also likely to result in regulatory measures that are not commonly found in multilateral agreements led by great powers or by small states but instead emerge through a process of compromise. For example, limits on weapons place common obligations on all states (leveling the

playing field for small and medium states vis-à-vis great powers) but these obligations are less onerous in their obligations as compared to other forms of regulations such as prohibitions (which prevent all states from possessing certain weapons)—reflecting great powers’ efforts to preserve their freedom of action and status quo dominance. These expectations can be represented as H6:

*H6a: Multilateral weapons governance agreements led by a mix of great powers and small states will share some similarities with agreements led by either great powers or small/medium states.*

*H6b: Multilateral weapons governance agreements led by a mix of great powers and small states will produce compromise outputs not found in agreements led by either great powers or small/medium states; particularly a focus on limits as methods of regulation.*

These hypotheses regarding the outcomes associated with leadership by different categories of states represent generalized expectations across multilateral weapons governance agreements. Identifying patterns in these relationships is a first step in understanding multilateral weapons governance agreements. In the following chapters, the case studies offer a closer analysis of the purposes for which states pursued such agreements and the processes through which they pursued them.

### ***Data***

The universe of agreements in this analysis consists of all sixty-three multilateral agreements to regulate different weapons in the post-World War II period. Although other scholars have compiled datasets of nuclear agreements this is the first data set of multilateral agreements governing all types of weapons in this period.<sup>135</sup> This set of agreements is an original dataset compiled by the author and includes both formal treaties (e.g., the Chemical Weapons Convention) and informal agreements

---

<sup>135</sup> Vaynman 2014; Kreps 2018.

(e.g., the Global Initiative to Combat Nuclear Terrorism). It excludes bilateral agreements (e.g., New START). As Chapter 2 notes, bilateral and multilateral agreements are fundamentally different in the nature of the relationship among states involved.<sup>136</sup>

This data set includes regional, cross-regional, and global agreements, and both open (i.e., any state that commits to the agreement and may join) and closed (i.e., restricted membership) agreements. It includes both formal (i.e., legally binding) and informal (i.e., politically binding) agreements. Importantly, the data set includes only agreements that have been concluded and have a text agreed upon by participants. For informal agreements like the Proliferation Security Initiative or the Hague Code of Conduct Against Ballistic Missile Proliferation, it includes the founding text that participants agreed upon at the start of the initiative. It does not include proposed initiatives, such as a Fissile Material Cutoff Treaty or Negative Security Assurances Agreement, where participants have not reached agreement on a text. Excluding potential or hypothetical initiatives is an inherent limitation of text-based analyses: there must be a text to analyze. However, comparing only texts that have actually been agreed more realistically captures the scope of weapons governance, as multilateral weapons governance requires agreement among participants on how they will govern the issue at hand. I sourced agreement texts from official government or intergovernmental websites.

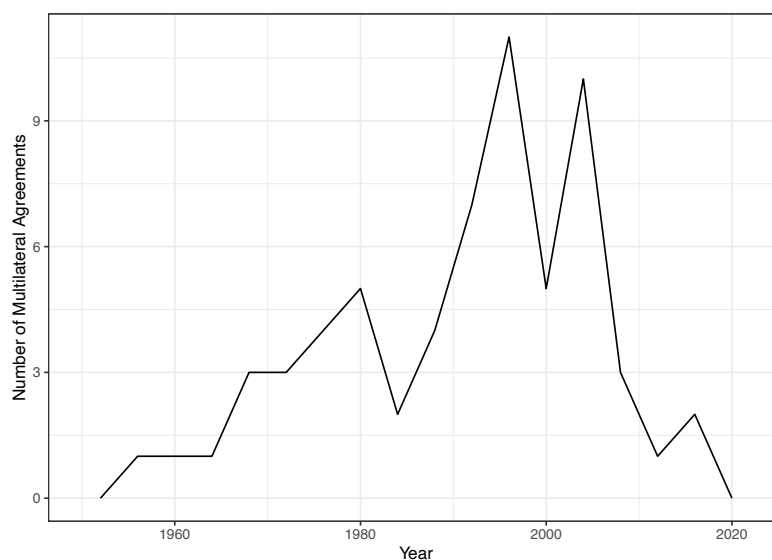
Figure 1 shows the frequency of agreements over time (1950-2021). Formal agreements are coded based on the year the text was agreed and the treaty opened for signature. Informal agreements are coded based on the year the agreement was publicly announced and the founding text was agreed upon by participants. In the seventy-year span covered by the dataset, the mean year is 1991—indicating that

---

<sup>136</sup> Ruggie 1992, 571.

approximately half the agreements were reached during the Cold War and about half were reached after the Cold War. Figure 1 also shows that although there are at least two agreements per decade from the 1950s through the 2010s, there are more agreements during the period from 1980-2010 than in other decades. Scholars sometimes emphasize the end of the Cold War as a critical juncture in many areas, including weapons governance.<sup>137</sup> Although Figure 1 shows a post-Cold War increase in new multilateral weapons governance agreements, it also indicates that this upward trend began before the end of the Cold War. At the same time, the relatively high number of new agreements between 1990 and 2005 suggest that even as the landscape of multilateral weapons governance became more crowded, this did not (overall) deter states from pursuing and concluding new agreements.

*Figure 1: Multilateral Weapons Governance Agreements Over Time*



<sup>137</sup> Keith Krause and Andrew Latham. 1998. Constructing Non-Proliferation and Arms Control: The Norms of Western Practice. *Contemporary Security Policy* 19(1): 23-54, 35; Denise Garcia. 2011. *Disarmament Diplomacy and Human Security: Regimes, Norms and Moral Progress in International Relations*. London: Routledge, 43

I also code a nominal variable for *leadership*: whether each agreement was led by great powers, a mix of great powers and small/medium states, or by small and medium states alone. Coding decisions are based on summaries and analyses of the agreements from intergovernmental sources (e.g., the United Nations Audiovisual Library of International Law) or from secondary academic or NGO sources (e.g., the Stockholm International Peace Research Institute). Leadership by each category of states means that these sources credit that category of states with proposing and pushing forward the initiative. For the mixed category, this means that both great powers and small/medium states advocated for the agreement and were heavily involved in the negotiating process—not simply that they attended negotiations.

The dataset is not dominated by any single category of leadership: 44 percent of all multilateral weapons governance agreements have been led by great powers, 32 percent have been led by small and medium states, and 24 percent have been led by a mix of the two categories. Examples of agreements led by great powers include the 1967 Outer Space Treaty, the 1987 Missile Control Technology Regime, and the 1992 Open Skies Treaty. Agreements led by small and medium states include the 1985 South Pacific Nuclear Weapon Free Zone, the 2006 ECOWAS Small Arms Convention, and the 2017 Treaty on the Prohibition of Nuclear Weapons. Examples of agreements led by a mix of great powers and small/medium states include Protocol III to the 1980 Convention on Certain Conventional Weapons, the 1996 Comprehensive Test Ban Treaty, and the 2001 Firearms Protocol.

In addition, I code nominal variables for the *type of weapon* governed by each agreement (chemical and biological weapons, conventional weapons, nuclear weapons, small arms and light weapons, territory, and other) and the *method of regulation* in each agreement (transfer controls, information sharing, limits on weapons, nonproliferation, and prohibitions). Although small arms and light weapons

are sometimes considered to be a sub-category of conventional weapons, they are distinct in that they are “man-portable lethal weapons” designed for use by individuals (small arms) or 2-3 individuals (light weapons).<sup>138</sup> By contrast, other conventional weapons require delivery vehicles or are operated by larger groups of combatants. Agreements that govern territory do not focus on a particular weapon, but rather the placement or use of (any) weapons in territorial zones (e.g., the 1976 Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques or the 1979 Moon Agreement). I group the remaining four agreements that do not fall into any of these categories as ‘other’.

Regarding methods of regulation, I distinguish between transfer controls, which are specifically targeted at regulating the trade in a specific weapon (while still permitting some trade of that weapon), and nonproliferation, which is aimed at preventing certain actors from acquiring a specific weapon through any means. Although all agreements provide information about other states’ capabilities or activities, I classify information sharing agreements as those agreements that only provide such information and do not place restrictions on those capabilities (in contrast to all other forms of regulation in this dataset). Limits refer to restrictions on the possession of weapons or engaging in certain activities (e.g., restrictions on nuclear testing), but still allow some production and/or use of the weapon in question and stop short of full prohibitions. In cases where an agreement covers multiple types of weapons, I categorize the agreement based on its primary focus, as attributed by governmental, intergovernmental, and/or NGO sources.<sup>139</sup>

---

<sup>138</sup> UN General Assembly. 2005. International Tracing Instrument.

<sup>139</sup> Only nine agreements (14 percent of all agreements) govern more than one type of weapon.

### *Descriptive Statistics*

Given the relatively small number of agreements, I use descriptive statistics rather than regression analysis to understand the relationship between leadership and the outcome characteristics of agreements. Regression analysis is not appropriate here due to the number of potential confounders: given that multilateral weapons governance includes a variety of forms of governance and weapons being governed, there are many differences among these agreements. These differences cannot all be controlled for while still maintaining sufficient degrees of freedom and a sufficiently large sample size for conventional regression analysis. Moreover, this chapter aims to identify patterns in multilateral weapons governance agreements, not causally identify a relationship between leadership and the outcomes examined in this chapter.

To begin, Table 3 shows a cross-tabulation of the types of weapons under multilateral governance and the types of regulation used in multilateral weapons governance. As Table 3 shows, multilateral agreement governing nuclear weapons are more common than agreements governing any other kind of weapon. Combined, agreements governing nuclear weapons, conventional weapons, and small arms comprise 84 percent of all multilateral weapons governance agreements.<sup>140</sup> There are far fewer agreements governing chemical and biological weapons, territory, or ‘other’ weapons (together, agreements governing these three kinds of weapons account for only 16 percent of all agreements).

---

<sup>140</sup> I refer interchangeably to ‘small arms’ and ‘small arms and light weapons’.

*Table 3: Types of Weapons and Types of Regulation*

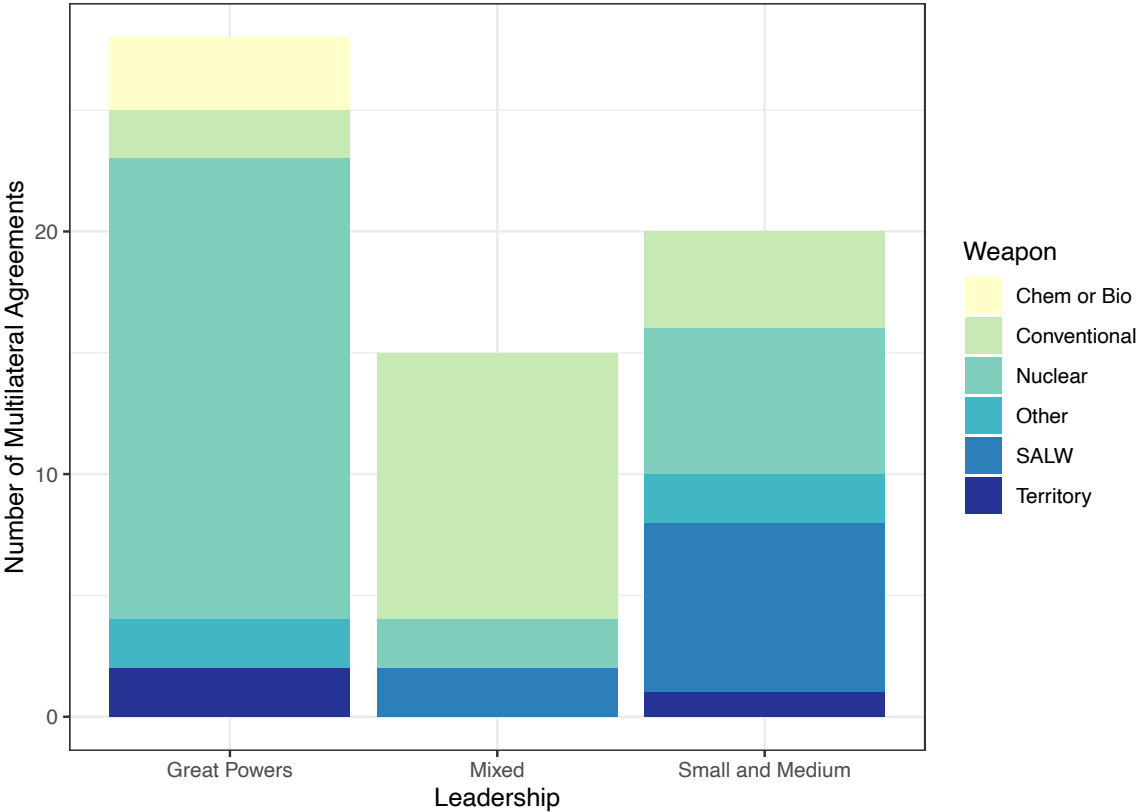
	Information Sharing	Transfer Controls	Limits	Non-Proliferation	Prohibition	<b>Total</b>
Chemical + Biological		1			2	<b>3</b>
Nuclear		2	2	12	11	<b>27</b>
Conventional	5	3	5		4	<b>17</b>
Small Arms		8		1		<b>9</b>
Territory	1				2	<b>3</b>
Other		2			2	<b>4</b>
<b>Total</b>	<b>6</b>	<b>16</b>	<b>7</b>	<b>13</b>	<b>21</b>	<b>63</b>

Table 3 also shows that prohibitions on weapons are the most common form of regulation, followed by transfer controls and nonproliferation agreements. Together, these types of regulation represent 79 percent of all multilateral weapons governance agreements. However, these forms of regulation are distributed unevenly across different types of weapons: nearly all nonproliferation agreements are focused on nuclear weapons, while the majority of transfer control agreements are focused on small arms. Half of all prohibition agreements govern nuclear weapons, while the other half are scattered among all other types of weapons except small arms. Nearly all agreements governing small arms involved transfer controls, which is not surprising given that no government has banned (on a national level) the use of any sub-type of small arms for military purposes. Although there are far fewer information sharing agreements or agreements that place limits on weapons, both types of regulation tend to focus on conventional weapons.

Figure 2 shows the type of weapons governed through agreements led by great powers, small and medium states, and a mix of the two categories. Pearson's Chi-squared test indicates that there is a statistically significant relationship between the category of leadership and the types of weapons involved in multilateral weapons

governance agreements. It shows that great powers and small/medium states have each led agreements regulating a variety of different types of weapons (in total, 5 different types each). Most agreements led by great powers, however, govern nuclear weapons (68 percent of agreements led by great powers—and 30 percent of all multilateral weapons governance agreements), supporting H2.

Figure 2: Type of Weapon by Leadership



Agreements led by small and medium states focus on governing either nuclear weapons and small arms, but also include some agreements governing conventional weapons. In contrast, great powers have led zero agreements governing small arms. Agreements led by small and medium states are also distributed more evenly across different types of weapons than agreements led by great powers or by a mix of great

powers and small/medium states. This supports H3 (that small and medium states do not focus on a single weapon but lead agreements to govern a variety of weapons. While several agreements led by a mix of great powers and small/medium states are also targeted at regulating small arms, the vast majority (76 percent) of agreements with mixed leadership are concerned with conventional weapons—which are less of a focus for either great powers or small/medium states alone. This provides limited support for H6 (that agreements led by a mix of great powers and small/medium states will share some similarities with each category, but that they will also have features not found in agreements led by either category alone): although both types of states have led agreements governing conventional weapons on their own, they do so much less frequently than when mixed leadership is present.

Figure 3: Type of Regulation by Leadership

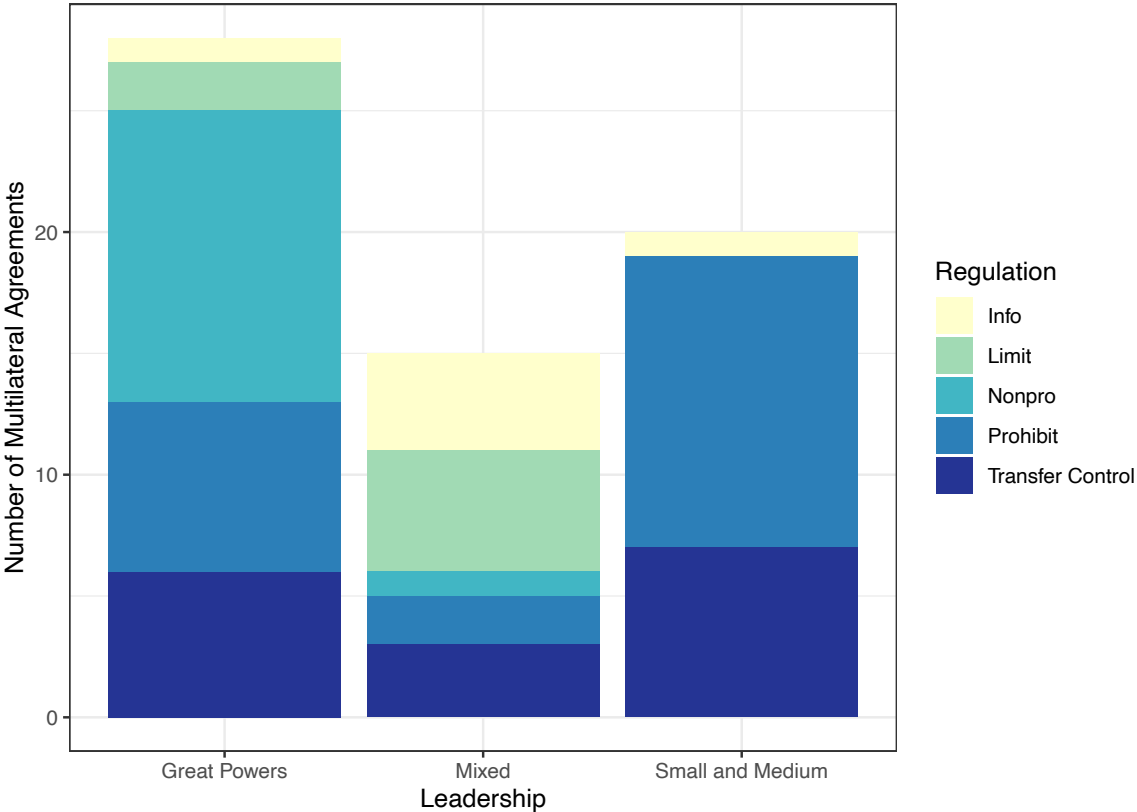


Figure 3 illustrates the type of governance in agreements led by great powers, small and medium states, and a mix of the two categories. As in Figure 2, Pearson's Chi-squared test indicates that there is a statistically significant relationship between the category of leadership and the types of regulation involved in multilateral weapons governance agreements. All three groups have led transfer control agreements, information sharing agreements, and agreements that prohibit certain weapons. However, agreements led by small and medium states are almost exclusively devoted to either prohibitions or transfer controls, with the majority establishing prohibitions on various weapons. This supports H5 (that small and medium states are likely to develop agreements that establish blanket prohibitions for a given weapon).

Agreements led by great powers or a mix of great powers and small/medium states are more varied in the type of regulation they involve. Nearly all nonproliferation agreements, however, have been led by great powers. This supports H1 by providing evidence that great powers tend to focus on nonproliferation as a form of regulation. While Figure 3 shows that great powers employ transfer controls as well (also supporting H1), the evidence for this part of H1 is not as strong as for the nonproliferation element: 43 percent of agreements led by great powers are nonproliferation agreements, whereas only 21 percent of agreements led by great powers impose transfer controls. Still, Figure 3 offers cautious support that great powers rely on transfer controls to change others' behavior. Figure 3 also shows that most agreements placing limits on weapons have been led by a mix of great powers and small/medium states, rather than by states from either category alone, providing support for H6b (that agreements led by a mix of great powers and small/medium states will produce outputs that differ from agreements led by either group alone; namely regulation via limits on weapons): 71 percent of agreements placing limits on weapons are associated with the mixed leadership category.

Figure 4: Legally Binding Agreements by Leadership

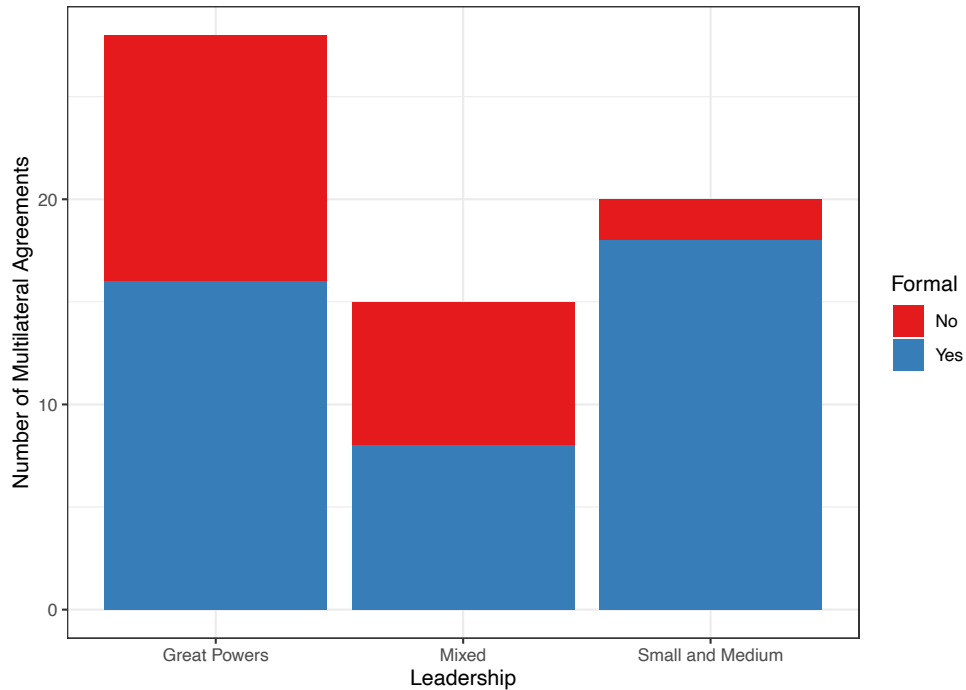


Figure 4 shows the proportion of legally-binding versus politically-binding (i.e. formal versus informal) agreements for each category of leadership. Overall, across all sixty-three agreements, two-thirds of agreements are legally binding. However, when this proportion is sub-divided based on the category of states that led the agreement, a different picture emerges. Whereas the mixed leadership and great powers categories are each roughly split between legally-binding and politically-binding agreements, nearly all agreements led by small and medium states are legally binding. This supports H4 (that small and medium states are more likely to create legally binding agreements than great powers are). At the same time, it shows that no category of leadership is wholly averse to formal treaties.

Together, Table 3 and Figures 2, 3, and 4 demonstrate that the landscape of multilateral weapons governance is quite varied in terms of leadership, weapons under regulation, types of regulation, and legal status of the agreement. Focusing exclusively

on one type of weapon, one type of regulation, or one category of leadership provides a limited and incomplete picture of multilateral weapons governance. Moreover, the results from Figures 2, 3, and 4 clearly indicate that agreements led by different categories of states have (in general) different features.

### ***Non-Nuclear Agreements***

Given the extent to which nuclear weapons are often treated as having unique political and military implications, it is possible that multilateral governance of nuclear weapons exhibits different patterns than governance of other weapons. Indeed, as Figure 2 showed, most agreements led by great powers govern nuclear weapons. To assess the extent to which the patterns in Figures 2 and 3 are driven by agreements governing nuclear weapons, Figure 5 shows the types of weapons governed and Figure 6 shows the types of regulation involved when agreements governing nuclear weapons are excluded from the analysis. Both indicate the extent to which great powers are focused on governing nuclear weapons: when nuclear weapons are excluded, agreements led by great powers account for only one quarter of all remaining agreements. Instead, multilateral weapons governance largely consists of agreements led by small/medium states or by mixed leadership. These results further highlight how focusing primarily on nuclear agreements obscures the extent of small/medium states' role in multilateral weapons governance.

Figure 5: Non-Nuclear Weapons Governance

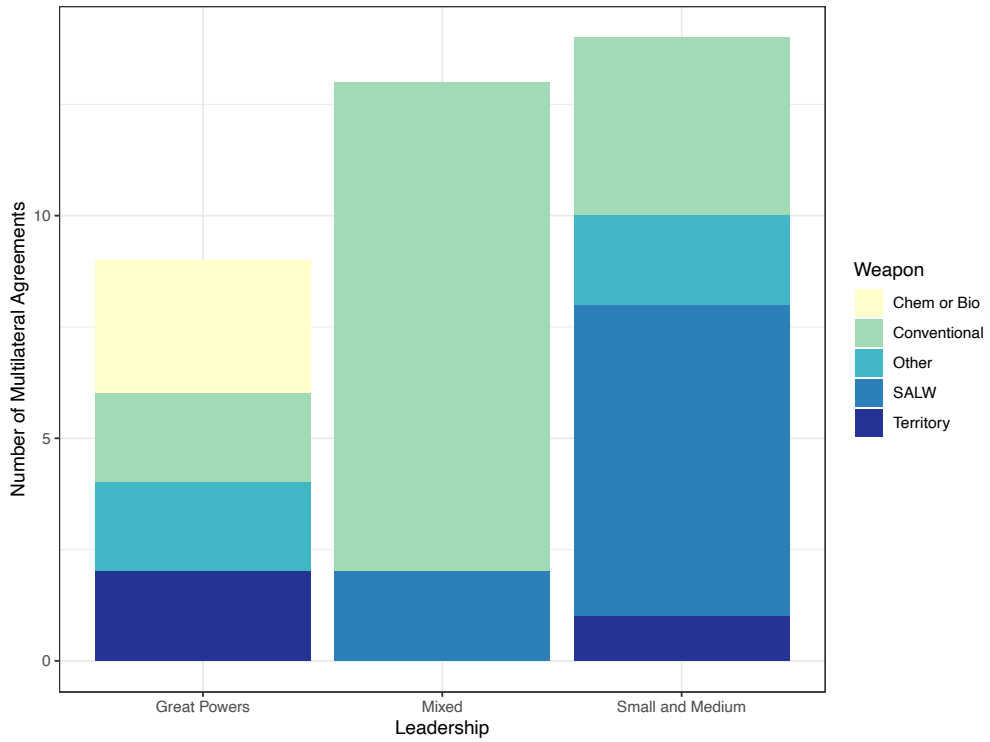
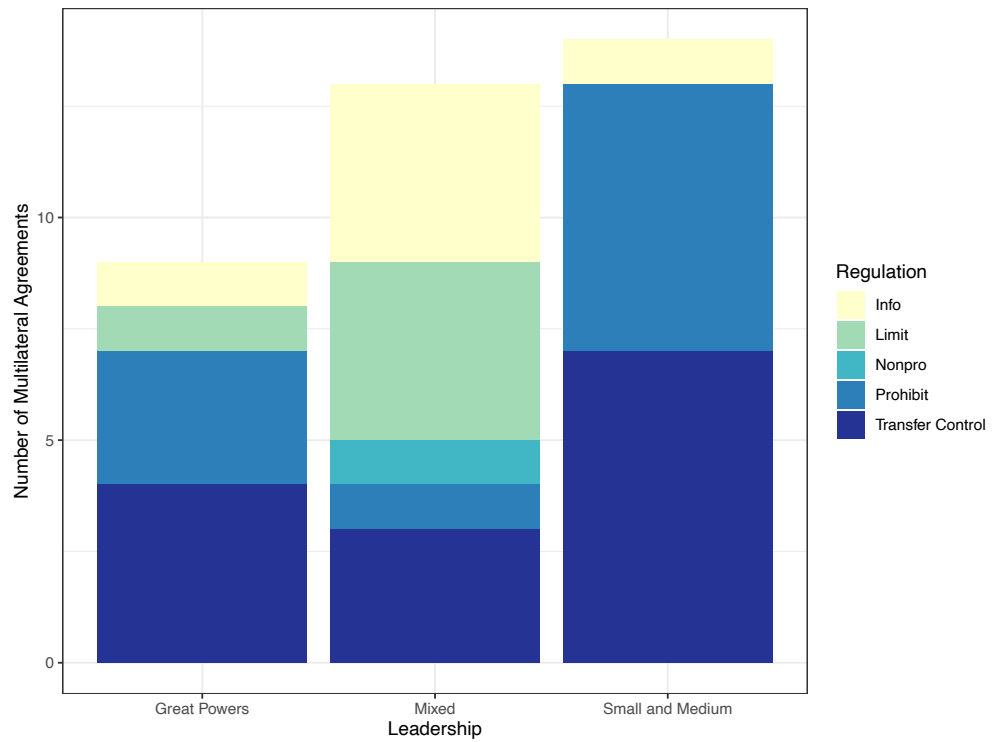


Figure 6: Regulation of Non-Nuclear Weapons



Like Figure 2, Figure 5 emphasizes that most cases of mixed leadership govern conventional weapons. They are also consistent with one another in showing small/medium states' emphasis on governing small arms and light weapons. However, in presenting the types of regulation involved, Figure 6 shows more differences with Figure 3. Specifically, it shows that when agreements governing nuclear weapons are excluded, prohibitions and transfer controls are the dominant methods of regulation in agreements led by either great powers or small/medium states. Moreover, the prevalence of information-sharing agreements and agreements that place limits on weapons increases considerably when the scope is restricted to governance of non-nuclear weapons. Nonproliferation, in contrast, is essentially absent in agreements governing non-nuclear weapons. In addition, Figures 5 and 6 show how even when nuclear weapons are removed from the analysis, cases of mixed leadership are distinctly different from agreements led by either category of state alone, in both the weapons governed and the type of regulation involved.

### ***Text Analysis for Multilateral Agreements***

The descriptive statistics offer important insights into patterns in the characteristics of multilateral weapons governance agreements. However, focusing on the overall aims of the agreement may not fully capture all important elements of the agreement. Likewise, sorting each agreement into a pre-established category may miss aspects repeated across agreements which are outside of these categories. Analyzing the full content of language used in multilateral agreements provides additional insights into the range of similarities and differences among them. For example, although Table 3 and Figures 2 and 3 show the primary subjects of regulation (different weapons) and forms of regulation involved, there may be additional patterns in the content of agreements that are less easily identified *ex ante*.

Thus, I also employ computer-assisted text analysis to inductively assess patterns in the language of different agreements to regulate weapons and the relationship between leadership by different states (small and medium, great powers, or mixed leadership) and the texts of agreements. Scholars who have used this method for examining patterns in international trade agreements have found that such agreements are replete with language similar to one another, even though each agreement has unique characteristics.<sup>141</sup> However, computer-assisted text analysis has not yet been applied to multilateral weapons governance agreements, and the similarities and differences among the texts of these agreements remains unknown. Examining the texts of agreements, in addition to the overall features of agreements, is also important because these texts ultimately express and codify the obligations and proscriptions to which states agree.

Although manually coding various design features of different agreements is useful for examining the frequency or likelihood of features the scholar considers to be important, computer-assisted text analysis can facilitate a more comprehensive approach to understanding the texts of international agreements. This is because computer-assisted text analysis analyzes the full content of the text, rather than focusing only on specific parts of it.<sup>142</sup> Treating text as data places the language used by political actors at the center of the analysis, rather than *ex ante* choosing to focus on certain features. Computer-assisted (as opposed to manual) text analysis tools also enable researchers to analyze a large quantity of texts rapidly and in a systematic manner. This enables researchers to take a broad look at textual trends across many

---

<sup>141</sup> Todd Allee, Manfred Elsig, and Andrew Ludd. 2017. The Ties between the World Trade Organization and Preferential Trade Agreements: A Textual Analysis. *Journal of International Economic Law* 20(2): 333-363, 334.

<sup>142</sup> Wolfgang Alschner, Julia Seiermann, and Dmitri Skougarevskiy. 2018. Text of Trade Agreements (ToTA)—A Structured Corpus for the Text-as-Data Analysis of Preferential Trade Agreements. *Journal of Empirical Legal Studies* 15(3): 648-666, 649.

agreements and compare them on salient dimensions. Additionally, in contrast to manual text analysis, computer-assisted text analysis methods (such as topic modeling) enable scholars to identify latent themes in texts that researchers might not have previously hypothesized.

To assess patterns in the language of agreements to regulate weapons, I first clean the texts. To do so, I remove punctuation, as this do not provide substantive insights regarding patterns in the texts. In removing punctuation, hyphenated compound words (e.g., dual-use, non-proliferation) become one word. I then remove standard English-language stopwords (words such as ‘and’, ‘the’, ‘this’, etc., that appear frequently in texts but do not contribute to the substantive meaning of the text). I also remove the stopwords ‘states parties’, ‘state party’, and ‘shall’, which may have substantive meaning in other contexts but not in multilateral agreements. In addition, I ‘stem’ words so that variations of the same lemma (the base form of the word) are not treated as different words (e.g., observe, observes, observed, observation, and observations will all be treated as the same word). Finally, I remove the least frequent words (those with a frequency in the overall corpus of documents less than 0.005%),<sup>143</sup> to avoid giving undue weight to words that occur only very rarely in the total corpus of words. This leaves 63 documents with a total count of 1,894 unique words (which occur multiple times throughout the corpus).

Removing stopwords and stemming words are common practice in automated text analysis.<sup>144</sup> However, to address concerns that altering the texts to this extent may affect the substantive results, I also run the subsequent analyses with stopwords included and without stemming. In these checks, the analyses do not reveal different substantive patterns in the contents of these agreements, but instead produce topics of

---

<sup>143</sup> The ‘corpus’ refers to all words in all treaties included in this dataset.

<sup>144</sup> Margaret Roberts, Brandon Stewart, and Dustin Tingley. 2014. stm: R Package for Structural Topic Models. *Journal of Statistical Software* 10(2): 1-40, 8.

common English words, as they are driven by stopwords and un-stemmed variations of common words. For example, when stopwords are included in the topic modeling, the word ‘state’ is one of the highest probability words for every topic.

To provide an initial view of commonalities in multilateral weapons governance agreements, Table 4 shows the stemmed versions of the twenty most common words used in the corpus of agreements (after removing stopwords and extremely rare words). Although many of these words are common in international agreements or treaties (e.g., articl, nation, and paragraph), others are specific to the development and use of weapons. For example, inspect, use, inform, observ, and request all refer to aspects of regulation, while weapon, arm, nuclear, and convent (the stem of conventional) all refer to types of weapons. However, identifying the frequency of these terms in isolation does not clarify their significance in multilateral weapons governance, and they may be used in different ways by different actors. Understanding patterns in their use requires examining the context in which these terms are used in various agreements.

*Table 4: Twenty Most Common Words in Agreements*

<b>Word</b>	<b>Number of Occurrences</b>	<b>Word</b>	<b>Number of Occurrences</b>
articl	1,958	includ	1,045
treati	1,500	paragraph	1,037
inspect	1,495	accord	1,005
convent	1,193	provid	930
intern	1,181	may	890
nation	1,144	arm	868
use	1,141	unit	861
inform	1,101	nuclear	818
observ	1,097	request	810
weapon	1,090	protocol	808

### *Structural Topic Modeling*

To understand the full range of words used in the corpus of texts, their relationship to one another, and how this language is affected by different values of the leadership variable, I use structural topic modeling (STM). This approach both explores the different topics covered in multilateral agreement to regulate weapons and assesses whether certain topics are found more in agreements led by great powers, small/medium states, or a mix of the two. Topic modeling is an unsupervised method of computer-assisted text analysis in which the researcher does not specify the conceptual structure of the texts in advance. Instead, topics are inductively ‘discovered’ by capturing the meaning of the words in relation to one another through the way they are used in the texts overall.

Specifically, in contrast to ‘bag of words’ approaches to text analysis that do not take into account the context in which words are used, structural topic modeling incorporates word co-occurrence to develop relatively coherent topics. That is, the word ‘weapon’ (the 10th most common word in the corpus) may belong to multiple topics, based on its association with other words. In addition, topic modeling enables each agreement (i.e., each text) to be classified as containing multiple topics, instead of just one. This better captures the full character of the texts, as opposed to associating each text with a single topic: as the descriptive statistics show, each agreement is concerned with both a type of weapon and a type of regulation. More broadly, it is highly likely that any one agreement contains multiple topics.

I run the structural topic model with the covariate *Leadership* and with eight topics.<sup>145</sup> I use STM rather than latent dirichlet allocation (LDA)—another popular

---

<sup>145</sup> Since there is no definitive answer to the appropriate number of topics for a corpus of texts (see Grimmer and Stewart 2013, 286), I run iterations of the model ranging from six topics to twelve topics and identify eight topics as the best solution that produces distinct topics that can be distinguished from one another. Other variations on the number of topics produce similar results, but the differences among the topics are slightly less clearly distinguishable. Justin Grimmer and Brandon Stewart. 2013. Text as

method for topic modeling—because STM enables the inclusion of observed data (in the form of covariates and metadata) in the model, which can then be directly analyzed in relation to the topics produced through the unsupervised topic modeling.<sup>146</sup> In the context of this analysis, it means that the Leadership variable can be included directly in the model and that the relationship between each topic and each value of the Leadership variable can be estimated. In contrast, LDA does not have a way to directly estimate the relationship between covariates of interest and topical prevalence. Using LDA thus requires that the output of the unsupervised topic modeling then be run in a separate post-hoc evaluation with the observed covariates of interest.<sup>147</sup>

The results of this analysis are suggestive: topic models are exploratory models that identify patterns in the corpus of texts and (when using STM) correlations between different topics and parameters of interest. This approach can only identify patterns: it cannot explain why certain topics in agreements are correlated with leadership from different types of states, nor can it explain why they are not correlated with different states' leadership. However, it is still useful for identifying themes that can be explored in greater depth through other forms of analysis (as I do in the following case study chapters). Identifying the topics that emerge across multilateral weapons governance agreement is necessary to subsequently describe the relationship between these topics and each level of leadership.

Table 5 names each topic and shows the words associated with that topic (specifically, the words with the highest probability of appearing in each topic and the

---

Data: The Promise and Pitfalls of Automatic Content Analysis Methods for Political Texts. *Political Analysis* 21(3): 267–297.

<sup>146</sup> Christopher Lucas et al. 2015. Computer-Assisted Text Analysis for Comparative Politics. *Political Analysis* 23(2): 254-277, 264.

<sup>147</sup> Margaret Roberts et al. 2014. Structural Topic Models for Open-Ended Survey Responses. *American Journal of Political Science*. 58(4): 1064-1082, 1067.

words that are most likely to be found in that topic alone).<sup>148</sup> I assign each topic a name based on these words and the relationship among them. Although there is some overlap in the words associated with topics, Table 5 clarifies how the same word may be associated with different topics in different contexts. For example, one topic refers to the details of carrying out inspections to confirm compliance with an agreement, while another topic refers to the authority to authorize inspections (e.g., by the UN Security Council or IAEA Executive Council). The topics also capture both patterns in the objects of multilateral weapons governance (e.g., nuclear weapons and small arms) and in the type of governance involved (e.g., observations and inspections).

*Table 5: Topics and Associated Words*

<b>Topic</b>	<b>Highest Probability Words</b>	<b>Most Frequent Exclusive Words</b>
Small Arms	arm, weapon, small, light, nation	illicit, firearm, small, light, ammunit
Inspections (conducting)	inspect, section, protocol, vehicl, treati	armour, helicopt, vehicle, armament, artilleri
Observations	observ, flight, aircraft, sensor, treati	sensor, flight, observ, sky, airfield
Conventional Weapons	articl, conven, nation, intern, unit	offenc, munit, mine, cluster, remnant
Nuclear Materials	materi, nuclear, design, sourc, use	uf6, jcpoa, uranium, centrifuge, enrich
Cooperation	particip, cooper, secur, intern, develop	particip, cultur, field, studi, confid
Nuclear Weapons	treati, nuclear, articl, weapon, forc	outer, nuclear, space, zone, despositari
Inspections (authorizing)	inspect, council, request, execut, confer	council, execut, onsit, chemic, moon

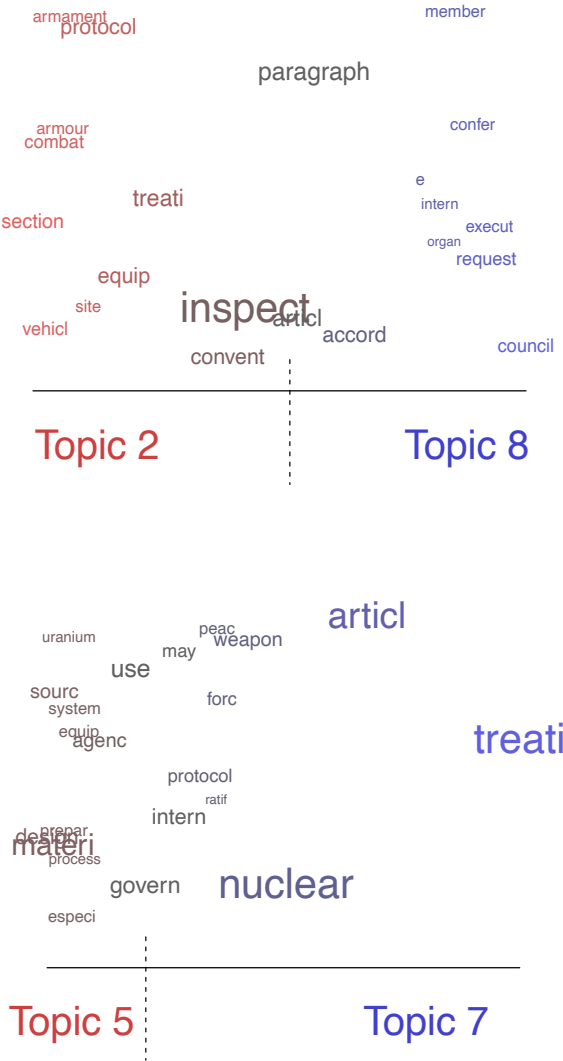
Given that the same words appear in multiple topics, it is important to identify the distinctions among topics. To further illustrate the differences among topics that

---

<sup>148</sup> The most frequent exclusive words are calculated in the stm package by using the mean of the word's rank, weighted in terms of exclusivity and frequency.

might appear similar, Figure 7 show the contrast between words associated with Topics 2 and 8 (conducting inspections and authorizing inspections) and Topics 5 and 7 (nuclear material and nuclear weapons). Words associated with both topics fall in the middle, while words more exclusively associated with each topic are located away from the middle. The size of each word is based on the frequency with which it appears in the corpus of texts.

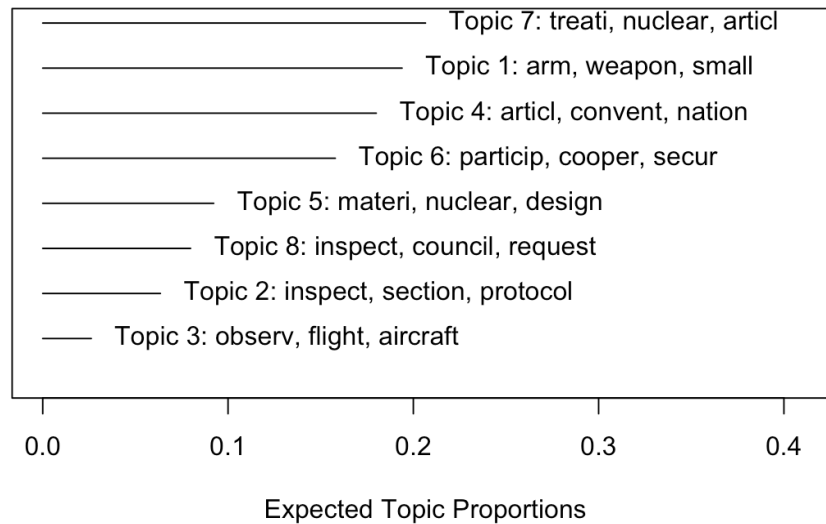
Figure 7: Topical Contrast for Similar Topics



For example, while *inspect* is common to both Topics 2 and 8, Figure 7 shows how the context in which *inspect* is used differs between the two topics, and the words it is associated with in each topic. Likewise, while *nuclear* and *weapon* are both central to Topics 5 and 7, the other words in Topic 5 (specific terms regarding the production of nuclear weapons) distinguish it from Topic 7. As the structural topic modeling shows later in this chapter, these topics are correlated with different categories of leadership.

In addition to understanding the main topics of multilateral weapons governance, it is also important to examine their relative prevalence in agreements overall. Figure 8 shows the proportion of each topic in the total corpus of texts (accompanied by the three highest probability words in each topic). As is clear from this figure, the words associated with each topic are not distributed uniformly throughout the texts. Of the different topics, some types of weapons (small arms, conventional weapons, and nuclear weapons) are more frequently covered in the texts of multilateral weapons governance agreements than other types of weapons (for example, nuclear materials, or weapons that do not appear as distinct topics, such as chemical and biological weapons). At the same time, certain types of regulation (inspections and cooperation) are more prevalent in these texts than others (for example, observations, or types of regulation that do not appear as a distinct topic, such as transfer controls). However, three of the four topics addressing types of regulation are the three least common topics in the corpus. Figure 8 thus indicates that while specifying how weapons will be regulated is an important element of multilateral weapons governance agreement, language delineating such regulations does not dominate the texts of these agreements.

*Figure 8: Expected Proportion of Topics in Agreements*



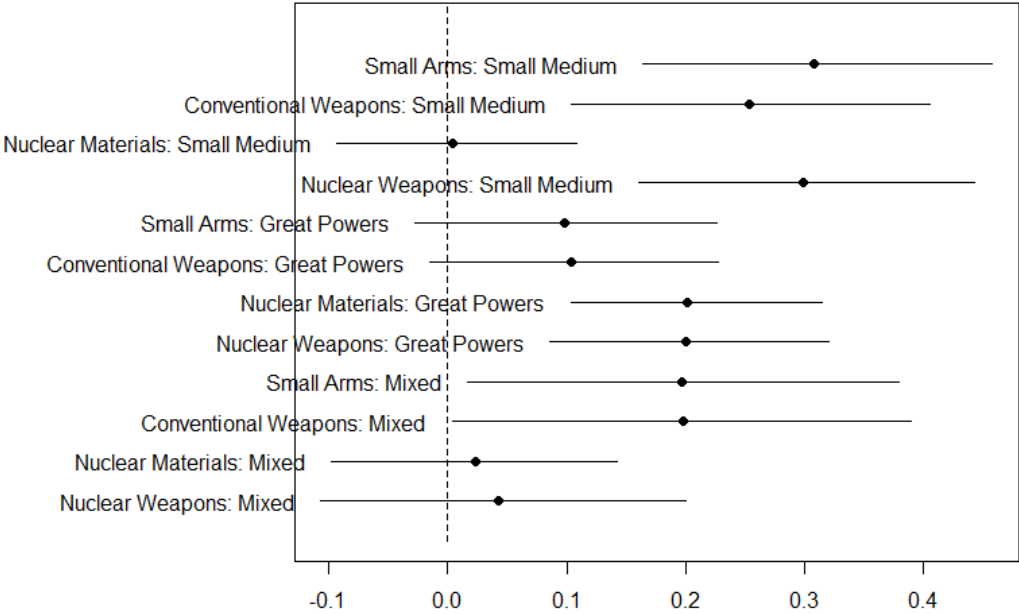
In addition, Figure 8 shows that while no single topic dominates the overall corpus of texts, the top 2 topics (nuclear weapons and small arms) account for over 40 percent of the language in the entire corpus. These differences in the proportion of each topic overall provide important context for interpreting the correlations between topics and leadership in the next section. For example, when less frequent topics are correlated with a category of leadership, they may still be a relatively small part of the text of agreements associated with that category of leadership, as compared to other topics.

### ***Topics and Leadership***

After identifying the eight topics in the corpus of texts and establishing the proportion of each topic, it is now possible to examine the correlation between each category of leadership (from great powers, small and medium states, or a mix of the two) and the proportion of each topic in the dataset. To do so, I estimate the relationship between each topic and each category of leadership and how likely it is that each topic is found in a given agreement at each category of leadership. I show the

results with 95 percent confidence intervals in Figure 9. The x-axis in Figure 9 shows the difference (from zero) of the proportion of each topic in agreements led by great powers, small and medium states, and a mix of the two categories. Where confidence intervals do not cross the x-axis in Figure 9, there is a correlation between the topic and category of leadership. The results of this analysis indicate that leadership by great powers is correlated with an emphasis on certain topics and forms of regulation, while leadership by small and medium states and by a mix of small/medium states and great powers are correlated with an emphasis on other topics and forms of regulation. Table 6 summarizes the results of Figure 9, indicating whether or not each topic is correlated with each category of leadership.

*Figure 9: Topics by Leadership*



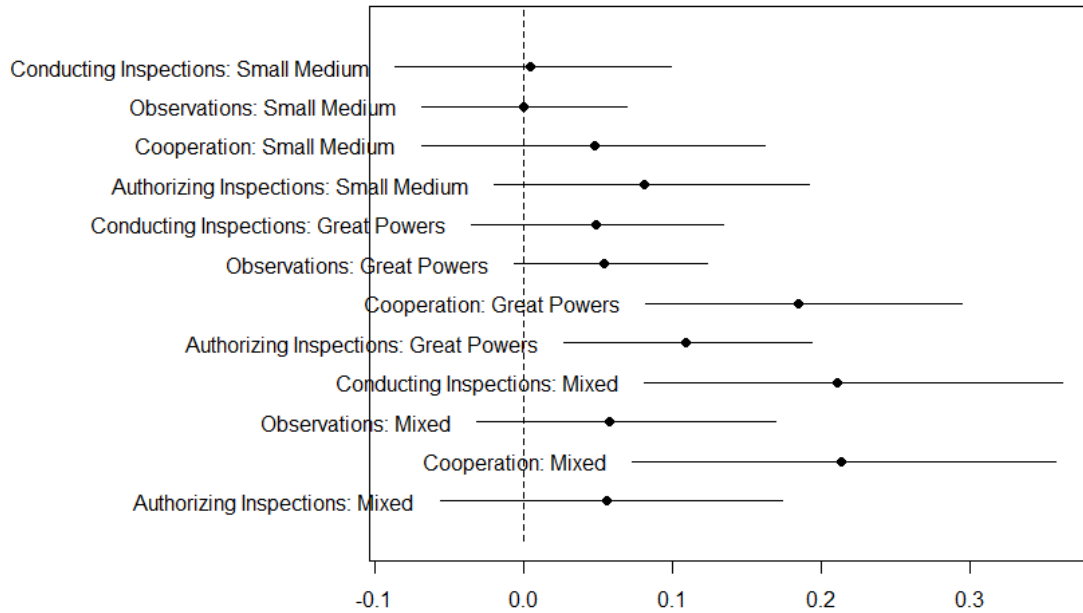


Table 6: Topic Likelihood at Each Leadership Covariate

	<b>Great Powers</b>	<b>Small &amp; Medium States</b>	<b>Mixed Leadership</b>
Small Arms	No	Yes	Yes
Conducting Inspections	No	No	Yes
Observations	No	No	No
Conventional Weapons	No	Yes	Yes
Nuclear Materials	Yes	No	No
Cooperation	Yes	No	Yes
Nuclear Weapons	Yes	Yes	No
Authorizing Inspections	Yes	No	No

Figure 9 and Table 6 show that both agreements led by great powers and those led by small/medium states are likely to regulate *nuclear weapons*. These results provide support for H2 (that great powers focus on governing nuclear weapons), but also indicate that nuclear governance is not solely the domain of great powers (consistent with the descriptive statistics shown in Figure 2). However, agreements to regulate *nuclear materials* are likely to be led by great powers but not by small and medium states or by a mix of the two categories. This suggests that small and medium

states are more concerned with regulating ongoing possession or use of existing nuclear weapons, whereas great powers are more concerned with regulating the precursors to weapons and preventing new actors from acquiring nuclear weapons—i.e., nonproliferation efforts. Although these conclusions cannot be directly observed from the text analysis, the association between great power leadership and both nuclear weapons and nuclear materials indicates that these agreements have a different focus than agreements led by small and medium states regulating nuclear weapons.

Furthermore, Table 3 shows that most nuclear agreements involve either nonproliferation or prohibition as the type of governance, while Figure 3 shows that most nonproliferation agreements were led by great powers and that the greatest number of prohibition agreements were led by small and medium states. Together, the descriptive statistics and the text analysis suggest that the association of the nuclear weapons topic with leadership by small and medium states reflects nuclear prohibition agreements led by these states. In contrast, the association of this topic with leadership by great powers reflects nuclear nonproliferation agreements. This is consistent with the theoretical expectations that agreements led by great powers are designed to limit the behavior of other states while preserving their own position (through nonproliferation, H1), while agreements led by small and medium states are intended to bind great powers by making common rules for all states (through prohibitions, H5).

Language to regulate *conventional weapons* is likely to be found in agreements led by either by small and medium states or by a mix of great powers and small/medium states, but not in agreements led by great powers. This supports H6a. Moreover, language to regulate *small arms and light weapons* is also likely to be found in agreements led by small and medium states and by a mix of great powers and small/medium states. This lends further support to H6a. In addition, these results

regarding language on conventional weapons and small arms are consistent with the descriptive statistics shown in Figure 2.

Overall, the finding that agreements led by small and medium states are likely to regulate nuclear weapons, conventional weapons, and small arms supports H3 (that small and medium states are not likely to focus their multilateral governance efforts on a single type of weapon). These topics represent three of the four ‘type of weapon’ topics (the fourth being nuclear materials) and are the categories of weapons most frequently subject to multilateral governance in the descriptive statistics (see Table 3 and Figure 2).

With regard to the topics addressing types of regulation, leadership by great powers correlates strongly with *authorizing inspections* but does not correlate strongly with *conducting inspections*. In contrast, mixed leadership is correlated with provisions for conducting inspections, but not for authorizing inspections. The reason for these results cannot be ascertained directly from the text analysis or descriptive statistics (both of which are limited to identifying correlations). However, it is possible that great powers seek to establish (in the texts of agreements) a right to conduct inspections, to ensure compliance with an agreement, but are less concerned with laying out in an agreement the specific conditions for how such inspections would be carried out. Instead, they may prefer to address compliance concerns on an individual basis. It is also plausible that detailed provisions for carrying out inspections when mixed leadership is present represent a compromise between great powers and small/medium states, by carefully delineating the boundaries of what inspections are allowed and not allowed.

None of the topics that focus on forms of regulation (inspections, observations, or cooperation) are especially likely to be found in agreements led by small and medium states. This suggests that laying out specific criteria for ensuring compliance

with multilateral weapons governance is not a high priority for these states. In addition, Figure 9 and Table 6 show that no value of the leadership variable is likely to emphasize provisions for *observations*. However, this result may be affected by the infrequency of this topic in the corpus of texts overall (see Figure 6). Regarding other possible forms of regulation, although Figure 3 showed that prohibitions are a frequent form of regulation, the topic model does not produce a topic focused explicitly on prohibiting different weapons. The reason for this discrepancy between the overall focus of the agreement (as shown in Figure 3) and the precise text of the agreement (as shown in the results from the topic model) cannot be directly discerned from the results. However, it is possible that language related to prohibition was grouped in topics relating to specific weapons, given that most prohibition agreements regulate either nuclear or conventional weapons.

Some of the results of the mixed category are similar to those in either the great powers category or the small/medium states category, supporting the expectation in H6a that this category of agreements will share some similarities with each of the other two categories of leadership. Specifically, leadership by both great powers and mixed leadership produce agreements that emphasize *cooperation*, and leadership by small/medium states and mixed leadership produce agreements that govern conventional weapons and small arms. However, language on conducting inspections is likely to be found in agreements led by a mix of great powers and small/medium states, and not in agreements led by either category alone. This provides limited support for H6b in that it indicates agreements resulting from mixed leadership have characteristics not found in agreements led by either great powers or small/medium states alone. However, it provides only limited support in that it does not specifically correspond to the theoretical expectations for what such agreements would include (limits on weapons).

## ***Conclusion***

This chapter explores patterns across multilateral weapons governance agreements, offering new insight into the similarities and differences across these agreements. In examining patterns in the texts of multilateral weapons governance agreements, it finds empirical differences between agreements led by great powers, by small and medium states, and by a mix of the two categories. These differences include variation regarding the type of weapons under regulation, the methods of regulation used, the legal status of the agreement, and the language used in agreements led by different categories of states. The results support all of the hypotheses presented at the beginning of the chapter, but also offer additional information about patterns across agreements and associations between different variables. They show that when agreements governing nuclear weapons are excluded from the analysis, great powers only rarely lead multilateral weapons governance initiatives. Moreover, most nonproliferation agreements govern nuclear weapons: when nuclear agreements are removed from the analysis, most agreements involve prohibitions, transfer controls, or information-sharing. Table 7 summarizes the sources of support for the six hypotheses assessed in this chapter. In the following case study chapters, I unravel the purposes and processes behind the associations identified in this chapter.

*Table 7: Summary of Hypothesized Results*

<b>Hypothesis</b>	<b>Source of Support</b>
H1: Agreements led by great powers focus on changing other states' behavior through regulations like transfer controls and nonproliferation	Figure 3, Figure 7 (nonproliferation only)
H2: Agreements led by great powers focus on governing nuclear weapons	Figure 2, Figure 7
H3: Agreements led by small and medium states focus on governing a variety of weapons	Figure 2, Figure 7

H4: Agreements led by small and medium states are more likely than agreements led by great powers to be legally binding	Figure 4
H5: Agreements led by small and medium states focus on common rules for all states, such as prohibitions	Figure 3, Figure 7
H6: Agreements led by a mix of great powers and small/medium states share similarities with agreements led by each group (H6a), but also produce outputs not found in agreements led by either group; namely regulation via limits on weapons (H6b)	Figure 2, Figure 3, Figure 7 <sup>149</sup>

This chapter also highlights the utility of computer-assisted text analysis for understanding international treaties and agreements. Although computer-assisted text analysis has been used to study a range of substantively important phenomena in political science—from position-taking in legislatures and legislative change,<sup>150</sup> to the political views and activities of social media users<sup>151</sup>—it has rarely been applied to study patterns in treaties and agreements.<sup>152</sup> In addition, exploring these dynamics in weapons governance agreements advances knowledge on an aspect of international cooperation that has received relatively little attention as compared to issues such as trade, the environment, and human rights.<sup>153</sup>

<sup>149</sup> Figures 2 and 7 indicate that mixed leadership produces both similarities and differences in patterns than leadership by either category of states alone, but only Figure 3 supports the specific hypothesis that mixed leadership will focus on limits as a form of regulation.

<sup>150</sup> Michael Lavar, Kenneth Benoit, and John Garry. 2003. Extracting Policy Positions from Political Texts Using Words as Data. *American Political Science Review* 97(2): 311-331; Andrew Eggers and Arthur Spirling. 2014. Ministerial Responsiveness in Westminster Systems: Institutional Choice and House of Commons Debates 1832-1915. *American Journal of Political Science* 58(4): 873-887; Benjamin Lauderdale and Alexander Herzog. 2016. Measuring Political Positions from Legislative Speech. *Political Analysis* 24(3): 374-394.

<sup>151</sup> Gary King, Jennifer Pan, and Margaret Roberts. 2013. How censorship in China allows government criticism but silences collective expression. *American Political Science Review* 107: 1-18; Pablo Barberà. 2015. Birds of the Same Feather Tweet Together: Bayesian Ideal Point Estimation Using Twitter Data. *Political Analysis* 23(1): 76-91; Nicholas Beauchamp. 2017. Predicting and Interpolating State-Level Polls Using Twitter Textual Data. *American Journal of Political Science* 61(2): 490-503.

<sup>152</sup> For exceptions, see Arthur Spirling. 2012. U.S. Treaty Making with American Indians: Institutional Change and Relative Power, 1784–1911. *American Journal of Political Science* 56(1): 84-97; Alschner, Seiermann, and Skougarevskiy 2018; Miriam Barnum and James Lo. 2020. Is the NPT Unraveling? Evidence from Text Analysis of Review Conference Statements. *Journal of Peace Research* 57(6): 740–751.

<sup>153</sup> Kreps 2018, 129.

The structural topic modeling in this chapter confirms patterns in the descriptive statistics regarding the types of weapons governed under leadership from different states. However, it also identifies patterns in the texts of agreements that are not captured through the descriptive statistics, including differences in approaches to inspections, and the difference between governing nuclear weapons and nuclear materials. At the same time, the descriptive statistics provide information about the agreements that was not always captured in the text analysis (for example, small and medium states' emphasis on prohibition agreements). Combining descriptive statistics or other information about overall characteristics of agreements with computer-assisted text analysis provides a more complete picture of the patterns in these agreements. Examining patterns in the design of multilateral weapons governance agreements advances understanding of an empirical area that is both understudied and of great substantive importance.



## CHAPTER 4

### PREVENTING NUCLEAR PROLIFERATION

#### *Introduction*

The 1968 Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is perhaps the most well-known multilateral weapons governance agreement and has been the subject of an extensive array of scholarship.<sup>154</sup> The NPT is often considered to be the foundation of the nuclear nonproliferation regime and a success story in multilateral weapons governance. The NPT, thus, is a canonical case, and a theory of why states pursue multilateral weapons governance must be able to explain the formation of the NPT. This chapter examines the process leading to the NPT, including the objectives that great powers pursued through the treaty, the external shocks that motivated them to negotiate a treaty, the process of negotiating it, what the outcome document contains, and the responses from small and medium states. Although the historiography of the NPT is extensive, I focus on the elements that are most relevant for explaining why great powers pursued the NPT and the process through which their motivations for doing so were translated into the outcome treaty text.

In this chapter, I draw on archival sources from US, British, Soviet, and UN archives, including newly-released archival materials. This chapter finds strong evidence for the theoretical expectations developed in Chapter 2 regarding why and

---

<sup>154</sup> E.g., Mohamed Shaker. 1980. *The Nuclear Nonproliferation Treaty: Origins and Implementation 1959-1979*. New York: Oceana Publications; Hal Brands. 2007. Non-Proliferation and the Dynamics of the Middle Cold War: The Superpowers, the MLF, and the NPT. *Cold War History* 7(3): 389-423; Shane Maddock. 2010. *Nuclear Apartheid: The Quest for American Atomic Supremacy from World War II to the Present*. Chapel Hill: The University of North Carolina Press; Jonathan Hunt. 2013. *Into the bargain: the triumph and tragedy of nuclear internationalism during the mid-Cold War, 1958-1970*. PhD dissertation. Austin: University of Texas at Austin; Frank Gavin. 2015. Strategies of Inhibition: U.S. Grand Strategy, the Nuclear Revolution, and Nonproliferation. *International Security* 40(1): 9-46; Coe and Vaynman 2015.

how great powers pursue multilateral weapons governance. Great powers, particularly the United States and the Soviet Union, were motivated to negotiate a multilateral nonproliferation agreement out of concern that nuclear proliferation would upset their status quo dominance and raise the risk of nuclear war. As expected, they were concerned about future shifts in other states' capabilities that would challenge and limit their own dominance in the future. Likewise, they were concerned about states that lacked nuclear weapons technology acquiring it in the future, and how they would use nuclear weapons to challenge the stability of the status quo in which great powers dominated.

In addition, this chapter finds that the process via which great powers pursued the agreement reflected and advanced these objectives. They framed nuclear weapons in ways that legitimized their possession of these weapons, while delegitimizing others' pursuit of them. Moreover, by strictly controlling the format of negotiations and making a few concessions to small and medium states, great powers were able to reach a treaty that placed significant obligations on small and medium states, and minimal obligations on themselves. The final text of the NPT—both in its obligations and omissions—preserves great powers' dominance vis-à-vis small and medium states. Although small and medium states protested the unequal obligations of the treaty and worried that it would increase their insecurity, most ultimately agreed to join the treaty due to the concessions made by great powers and a hope that the NPT would lead to disarmament.

In both this chapter and Chapter 5, I refer interchangeably to great powers and nuclear weapon states (NWS), and to small/medium states and non-nuclear weapon states (NNWS). This is because, as noted in Chapter 2, the five states that had nuclear weapons in 1968 when the NPT was concluded are the same five states widely recognized as great powers. They are the five permanent members of the UN Security

Council and, since the end of World War II, have also dominated global military spending.<sup>155</sup>

***Background: International Developments Heighten Concern Over Nuclear Weapons***

Despite the bilateral rivalry between the United States and the Soviet Union during the Cold War, they were a class unto themselves contra NNWS. By 1959, the Soviet Union had developed intercontinental ballistic missiles (ICBMs) and the two countries had the capacity for mutually assured destruction. Despite remaining bilateral differences in the size and composition of their nuclear arsenals, the great powers' superiority in relation to the world's small and medium states was stable and well-established. What, then, led them to seek a treaty to prevent the proliferation of nuclear weapons?

The 1962 Cuban Missile Crisis provided the immediate impetus for the United States and the USSR to take action to prevent further nuclear dangers. In an exchange of letters between John F. Kennedy and Nikita Khrushchev in the immediate aftermath of the Cuban Missile Crisis, Kennedy wrote, "Perhaps now, as we step back from danger, we can together make real progress in this vital field. I think we should give priority to questions relating to the proliferation of nuclear weapons, on earth and in outer space, and to the great effort for a nuclear test ban."<sup>156</sup> As this quote illustrates, Kennedy directly connected the danger from approaching the brink of nuclear war in the Cuban Missile Crisis to taking action on the proliferation of nuclear weapons and a ban on further nuclear testing. Multiple former Kennedy administration officials also

---

<sup>155</sup> See SIPRI Yearbooks 1968-2018, as well as Alva Myrdal. 1976. *The Game of Disarmament: How the United States and Russia Run the Arms Race*. New York: Pantheon Books, 4.

<sup>156</sup> *Foreign Relations of the United States, 1961-1963, Volume XI, Cuban Missile Crisis and Aftermath*. eds. Edward C. Keefer, Charles S. Sampson, and Louis J. Smith. Washington: Government Printing Office, 1996. Document 104, October 28, 1962.

underscored the importance of the Cuban Missile Crisis in inducing the US and USSR to take greater action to address nuclear threats.<sup>157</sup>

In addition to the NPT, the Cuban Missile Crisis spurred the US and USSR to conclude an agreement limiting nuclear testing. According to Evangelista, “the sobering impact of the Cuban missile crisis by his own admission prompted Khrushchev to redouble his efforts to curb the nuclear arms race, as it did Kennedy.”<sup>158</sup> In a letter to Kennedy soon after the Cuban Missile Crisis was resolved, Khrushchev claimed, “Left behind is a period of utmost acuteness and tension in the Caribbean. Now we have untied our hands to engage closely in other urgent international matters and, in particular, in such a problem which has been ripe for so long as cessation of nuclear tests.”<sup>159</sup> As discussed later in this chapter, the US and USSR viewed the NPT as a successor to the 1963 Limited Test Ban Treaty (LTBT) and borrowed language from the LTBT in drafting the NPT. However, although the Cuban Missile Crisis was primarily a confrontation between the United States and the USSR, it spurred the two powers not to reduce their own nuclear arsenals, but to take measures to prevent other states from developing or acquiring nuclear weapons. During the early and mid-1960s, United States and the USSR pursued primarily a nonproliferation approach (preventing the spread of nuclear weapons to more states) rather than a disarmament or arms control approach (reducing the number of nuclear weapons they held) to address the threat posed by nuclear weapons.

Although the Soviet Union had supplied China with nuclear technology in the early and mid 1950s, by the late 1950s the USSR was quickly becoming deeply

---

<sup>157</sup> William Foster. 1964. John F. Kennedy Library Oral History Program; James Goodby. 1990. Interview with the Association for Diplomatic Studies and Training Foreign Affairs Oral History Project.

<sup>158</sup> Evangelista 1999, 82.

<sup>159</sup> *Foreign Relations of the United States, 1961–1963, Volume VI, Kennedy-Khrushchev Exchanges.* ed. Charles S. Sampson. Washington: Government Printing Office, 1996. Document 85, December 19, 1962.

concerned about the strategic implications of China's acquisition of nuclear weapons. The Soviet Union viewed "the question of proliferation primarily in terms of the Sino-Soviet relationship,"<sup>160</sup> which was by that time, rapidly deteriorating. According to an Egyptian diplomat,

The Soviets, alerted by the enormous explosiveness of the [Taiwan Straits crisis in 1958], were awakened to the ominous prospect that in some future crisis, in which China possessed its own atomic bombs, Moscow might be dragged into a catalytic nuclear confrontation with the United States because of some irresponsibility on the part of its erstwhile ally. The experience of the crisis marked a significant watershed not only in the erosion of the Sino-Soviet relationship but also in the evolution of Moscow's opposition to nuclear proliferation.<sup>161</sup>

China exploded its first nuclear device in 1964, making Soviet efforts to prevent China from acquiring nuclear weapons a moot point. However, this experience elevated the USSR's concern over proliferation. China demonstrated the potential for other countries to similarly acquire nuclear weapons and in doing so, upset the stability of the status quo and increased the risk of nuclear war.

#### *Overview of the NPT Process*

The process leading to the NPT began in 1958 (10 years prior to the conclusion of negotiations) with a proposal by Ireland in the UN General Assembly for an ad-hoc committee to study the dangers from the dissemination of nuclear weapons and to draft a proposal to prevent proliferation. The United States initially opposed the proposal because it was concerned that such an agreement would bind the United States and undermine its capacity for deterrence; particularly the threat of US nuclear use to defend its European allies. The United States shifted to support the proposal in

---

<sup>160</sup> Shaker 1980, 11.

<sup>161</sup> Shaker 1980, 11-12.

1961 once it became satisfied that the Irish resolution would not affect NATO nuclear sharing.<sup>162</sup>

However, although Ireland initially proposed the idea of a nonproliferation agreement, it did not subsequently take a leadership role. It suggested the idea because of the link it perceived between nonproliferation and disarmament. Ireland was concerned that more countries having nuclear weapons would make it harder to reach an agreement on disarmament, but recognized that nonproliferation would be more palatable to great powers than disarmament.<sup>163</sup> Thus, Ireland advocated for a nonproliferation agreement as a step to facilitate a disarmament agreement. The United States and United Kingdom, however, rejected this connection and, with the Soviet Union, pursued their own nonproliferation agreement that built on and replaced the Irish effort.<sup>164</sup>

Negotiations between the great powers began in earnest in 1962, when the United States, United Kingdom, and USSR each submitted a draft proposal for a nonproliferation agreement to the Eighteen Nation Committee on Disarmament (ENDC). These drafts formed the basis for subsequent US-Soviet bilateral negotiations. Although not directly involved in these negotiations, the United Kingdom was a staunch supporter of a nonproliferation treaty and worked within NATO to build support for it. Although small and medium states sought to shape the agenda for negotiations through initiatives like UN General Assembly Resolution 2028 in 1965 (which emphasized a balance of mutual responsibilities and a focus on

---

<sup>162</sup> Shakur 1980, 15-16.

<sup>163</sup> Catherine Manathunga. 1996. The Evolution of Irish Disarmament Initiatives at the United Nations, 1957-1961. *Irish Studies in International Affairs* 7: 97-113, 99-100.

<sup>164</sup> USA. U.S. Delegation to the United Nations, telegram DELGA 107, October 7, 1958. National Archives, Record Group 59 (RG 59), Department of State Decimal Files, 1955-1959, 320/7-558; USA, Memorandum of Conversation, Irish Disarmament Resolution at 14<sup>th</sup> General Assembly, September 1, 1959, with British Note Attached, National Archives, Record Group 59 (RG 59), Department of State Decimal Files, 1955-1959, 600.0012/9-159.

disarmament as the ultimate objective for the NPT), such efforts were largely ignored by great powers.

From 1962-1966, negotiations between the great powers were stymied by the issue of the prospect of a NATO Multilateral Force (MLF), which the Soviet Union viewed as tantamount to giving nuclear weapons to NNWS (particularly West Germany). The United States claimed that the MLF would not give control over nuclear weapons to other states, but was unable to assuage the Soviet Union's concerns. When the United States agreed to forgo the MLF in 1966, negotiations between the great powers progressed rapidly. The treaty was concluded and opened for signature in 1968, and entered into force in 1970.

However, China and France did not participate in negotiations for the NPT and did not join NPT until 1992. Nonetheless, France supported the objective of nonproliferation and did not criticize the negotiations. Moreover, France saw nonproliferation, and the negotiation of such a treaty, as a way to maintain its great power status vis-à-vis small and medium states. As internal US documents noted, "de Gaulle believes that nuclear weapons are essential for 'great power' status. France would hardly want to see additional powers attain such a status."<sup>165</sup> This remained a consistent position throughout the NPT negotiations, and at the conclusion of the negotiations, the French ambassador to the United Nations declared that although France would not at that time sign the NPT, it would "act in such a way that is identical to [a country] that has signed the treaty."<sup>166</sup> China, however, opposed the treaty. Yet during the 1960s, the People's Republic of China did not fit easily into the great power category: it did not have a seat at the UN Security Council and saw itself

---

<sup>165</sup> USA. Value and Feasibility of a Nuclear Non-Proliferation Treaty. DNSA collection: Nuclear Nonproliferation. December 10, 1964.

<sup>166</sup> France. Address by the French Representative (Berard) to the General Assembly: Nonproliferation of Nuclear Weapons, June 12, 1968. *Documents on Disarmament 1968*, 429.

as a (self-appointed) representative of developing countries and post-colonial ‘have-nots’. In short, while the NPT was driven by great powers, it was driven primarily by the United States and the USSR (and secondly by the United Kingdom); not by all great powers.

### ***Purpose of the NPT***

Based on the theory developed in Chapter 2, I expect that great powers pursued the NPT to preserve their status quo dominance and to prevent new threats from rising. As evidence of such objectives, I expect that they express concern about future shifts in capabilities and related threats to their material and/or social dominance, specifically associated with new actors acquiring (and potentially using) nuclear weapons. In combination with evaluating evidence of such concerns, I also assess whether great powers sought a treaty that would provide information about other states’ capabilities, in order to assuage these concerns. Such evidence would also support the theoretical expectations developed in Chapter 2 regarding why great powers pursue multilateral weapons governance.

### *Preserving the Stability of the Status Quo and Preventing New Threats from Rising*

The United States and the Soviet Union cooperated on a nonproliferation agreement because they were concerned about what other states would do with nuclear weapons. They were less concerned by each other’s nuclear weapons. For the United States, “It seemed that the danger of nuclear spread was primarily a problem of what countries other than the United States and the Soviet Union would decide to do [...] The United States considered that the world was now very close to the point of no return.”<sup>167</sup> The Cold War had reached a point of relative (though fragile) geopolitical

---

<sup>167</sup> NATO. PR(65)58: Summary Record of a Private Meeting of the Council, October 20, 1965.

stability between the great powers and they were deeply wary of small and medium states' actions that might upset this balance.

Although the Soviet Union and the United States disagreed on many issues during the 1960s, policymakers in both countries viewed nuclear proliferation as an issue of shared concern. Despite the negotiations taking place during the Cold War and specifically during the Vietnam War, the great powers assured one another that their disagreement over Vietnam and other geopolitical issues would not be an impediment to reaching an agreement on nonproliferation.<sup>168</sup> The need to prevent threats to their position vis-à-vis the small and medium NNWS surmounted their disagreements with one another. The United Kingdom—the third state to develop nuclear weapons—shared the United States and the Soviet Union's concerns that further nuclear proliferation would destabilize the Cold War status quo and increase the risk of 'hot' conflict. UK internal documents sum up the great powers' concerns:

Non-dissemination is a common interest of East and West. If additional countries possessed nuclear weapons, the prospect that they might one day be employed would be greater and this could increase the chances of a local conflict escalating into a war into which the nuclear resources of the great powers would be drawn [...] The present situation is therefore politically and technologically unstable and could be disrupted in a major crisis in East/West relations or in the event that a non-nuclear power came to suspect that an unfriendly neighbor was developing a nuclear weapon.<sup>169</sup>

Both the United States and the Soviet Union sought to prevent West Germany specifically from developing nuclear weapons. The Soviet Union was concerned that if West Germany acquired nuclear weapons (potentially with the assistance of the United States or through NATO nuclear sharing), this would upset the Cold War

---

<sup>168</sup> USA. Adrian Fisher, Acting Director, ACDA, to Hays Redmon, Staff Assistant to the President, enclosing Summary of Recent Soviet "Signals" on Non-Proliferation, September 23, 1966. National Security Archive.

<sup>169</sup> UK. TNA CAB 148/51. January 14, 1965.

balance of power.<sup>170</sup> At the same time, although West Germany was a US ally, the United States was concerned that if West Germany acquired nuclear weapons, it would challenge the United States' status quo dominance.<sup>171</sup> The Soviet Union recognized this shared interest in constraining West German nuclear ambitions.<sup>172</sup> The United Kingdom too shared these concerns.<sup>173</sup> Memories of World War I and World War II made policymakers in great powers wary of German military ambitions and heightened their concerns over the geopolitical consequences of German acquisition of nuclear weapons.<sup>174</sup>

Although other scholars have focused on great powers' efforts to deny nuclear weapons to West Germany,<sup>175</sup> it is also clear that great powers were concerned about new threats emerging from any additional states acquiring nuclear weapons. They were particularly concerned about West Germany acquiring nuclear weapons, but internal US memos also cited Israel, India, Sweden, and Japan as states that had the capacity to develop nuclear weapons and were likely to do so.<sup>176</sup> Likewise, the Soviet Union was concerned not just about West Germany but also about India, Canada, Italy, Japan, Belgium, Sweden, the Netherlands, Israel, and Czechoslovakia developing nuclear weapons.<sup>177</sup> These included NATO members, non-aligned states,

---

<sup>170</sup> USSR, Address by Foreign Minister Gromyko to the General Assembly, December 7, 1964. *Documents on Disarmament 1964*, 504-505.

<sup>171</sup> E.g., USA. Memcon, MLF, Disarmament. May 30, 1963. National Security Archive.

<sup>172</sup> Comments by Vasili Kuznetsov, "Aktenvermerk," October 14, 1963, "Anlage Nr. 1 zum Protokoll 35a vom 11.10.1963 [Attachment to Protocol 35a (of the SED Politburo) from October 11, 1963]." SAPMO BA, J IV 2/2-900, pp. 2-21. Accessed via Woodrow Wilson Center Digital Archive.

<sup>173</sup> UK TNA/CAB 148/51. January 14, 1965.

<sup>174</sup> E.g., *Foreign Relations of the United States 1964-1968*, Volume XI, Document 153, September 24, 1966.

<sup>175</sup> E.g., George Quester. 1972. Soviet Policy on the Nuclear Non-Proliferation Treaty. *Cornell International Law Journal* 5(1): 17-34; Brands 2007; Gene Gerzhoy. 2015. Alliance Coercion and Nuclear Restraint: How the United States Thwarted West Germany's Nuclear Ambitions. *International Security* 39(4): 91-129.

<sup>176</sup> E.g., *Foreign Relations of the United States 1964-1968*, Volume XI, Document 44, August 14, 1964.

<sup>177</sup> Roland Timerbaev. 1999. *Russia And Nuclear Nonproliferation, 1945-1968*. Moscow: Nauka. Translated from Russian to English by Brian Rich and Jonathan Hunt. 2017.

and a Soviet ally (Czechoslovakia). Should these states (or others) have developed nuclear weapons, it would have threatened to shift the international balance of power.

The United States and the Soviet Union viewed each other's interest in nonproliferation as stemming from the same source: concerns about vulnerability caused by proliferation by neighboring countries, allies, and adversaries.<sup>178</sup> They were also concerned about cascading proliferation, or the idea that one state developing nuclear weapons would lead additional states to develop nuclear weapons in response: "once additional nations begin to manufacture nuclear weapons, political and psychological barriers which now tend to restrain proliferation will have been broken, and still other nations will feel pressure to produce or acquire such weapons."<sup>179</sup> Moreover, states that acquired nuclear weapons could not be counted on to be as 'responsible' as the great powers and thus should not be permitted to develop these weapons: "it would be a fearful world, indeed, that housed not 5 but 10, 15, or 20 nuclear powers in the next decade or so. And among them, there might well be the unstable as well as the stable, the irresponsible as well as the responsible."<sup>180</sup> On the whole, US policymakers concluded, nuclear proliferation was "a destabilizing factor, contrary to the US interest."<sup>181</sup> In the US view,

As the number of nuclear Powers increases, so does the possibility of irresponsible or irrational acts. Moreover, proliferation begets more proliferation. As each nation feels its security menaced by nuclear weapons next door, the political pressure rises to protect itself by the same means; and

---

<sup>178</sup> E.g. Gilpatric Committee Report, *Foreign Relations of the United States, 1964–1968*, Volume XI, Arms Control and Disarmament, eds. Evans Gerakas, David S. Patterson, and Carolyn B. Yee. Washington: Government Printing Office, 1997. Document 60, January 7-8, 1965; Kuznetsov 1963.

<sup>179</sup> USA. Statement by ACDA Director Foster to the Eighteen Nation Disarmament Committee: Nondissemination of Nuclear Weapons, July 2, 1964. *Documents on Disarmament 1964*, 251. For a similar Soviet view, see USSR. Address by Foreign Minister Gromyko to the General Assembly, September 24, 1965. *Documents on Disarmament 1965*, 439.

<sup>180</sup> USA. Address by ACDA Director Foster Before the Commonwealth Club at San Francisco, June 4, 1965. *Documents on Disarmament 1965*, 239.

<sup>181</sup> *Foreign Relations of the United States, 1961–1963*, Volume VIII, National Security Policy, ed. David Mabon. Washington: Government Printing Office, 1996. Document 93. June 22, 1962.

then the process will be repeated in the next nation, and so on. Thus, we face the possibility of nuclear anarchy.<sup>182</sup>

Great powers' efforts to prevent small and medium states from developing nuclear weapons were driven not only by concern that more states having nuclear weapons would upset the status quo's stability, but (relatedly), that more states possessing nuclear weapons would increase the risk of nuclear war. It would be "all the more unlikely that a nuclear conflict involving 1.5 billion Chinese, Indians and Japanese could not affect our own security."<sup>183</sup> The Gilpatric Committee (a US government study group on nonproliferation) concluded that new nuclear capabilities,

However primitive and regardless of whether they are held by nations currently friendly to the United States, will add complexity and instability to the deterrent balance between the United States and the Soviet Union, aggravate suspicions and hostility among states neighboring new nuclear powers [...] and eventually constitute direct military threats to the United States. As additional nations obtained nuclear weapons, our diplomatic and military influence would wane, and strong pressures would arise to retreat to isolation to avoid the risk of involvement in nuclear war. Nevertheless, even then, we could not escape the problem.<sup>184</sup>

Although great powers were concerned that nuclear weapons were dangerous and unstable, they were concerned about other states' possession of nuclear weapons rather than their own or other great powers' nuclear weapons. Both the United States and the Soviet Union viewed that a nonproliferation treaty would be valuable even if China and France did not join at the outset.<sup>185</sup> This indicates that they were primarily focused on preventing new states from acquiring nuclear weapons and disrupting the status quo, rather than addressing existing NWS' possession of these weapons

---

<sup>182</sup> USA. Statement by Ambassador Stevenson to the Disarmament Commission, April 26, 1965. *Documents on Disarmament 1965*, 72.

<sup>183</sup> *Foreign Relations of the United States, 1964–1968, Volume XI, Document 60*. January 7-8, 1965.

<sup>184</sup> *Foreign Relations of the United States, 1964–1968, Volume XI, Document 64*. January 21, 1965.

<sup>185</sup> USA. 1968. *The U.S. Arms Control and Disarmament Agency During the Johnson Administration. Part II, Section B: Non-Proliferation of Nuclear Weapons*, 3; Roland Timerbaev. 2007. Interview with Rich Hooper and Jenni Rissanen. PNNL-SA-5631.

(including their own possession of these weapons) through multilateralism.<sup>186</sup> As an approach to governing nuclear weapons, nonproliferation—as opposed to disarmament—requires great powers to make few changes to their behavior and plans, given that nonproliferation is aimed at preventing the spread of nuclear weapons to additional actors.

The most significant obligation for great powers in the context of the NPT was the US commitment to forgo a multilateral nuclear force (MLF) within NATO. The Soviet Union insisted that the United States and NATO abandon plans for the MLF. However, the Soviet Union’s opposition to the MLF was based on the perception that it would be tantamount to giving West Germany nuclear weapons, and not on the MLF in principle. Scholars have emphasized Soviet opposition to the MLF, but this opposition was not unconditional: as early as 1963, the Soviet Government decided

to announce to the Americans our readiness to conclude an agreement on the nonproliferation of nuclear weapons even in the case that the agreement will not contain a statement prohibiting outright the creation of multilateral nuclear forces in NATO, but either in the same declaration or in some other form, the Americans [will have to] take upon themselves the obligation not to permit a situation in which West Germany might obtain the possibility of being in charge of nuclear weapons.<sup>187</sup>

Moreover, the Soviet Union expressed to the United States that it was not opposed to current NATO nuclear arrangements, but was concerned about future changes (i.e., the MLF) that would enable West Germany to access nuclear weapons.<sup>188</sup> By 1966, the MLF had not yet been agreed within NATO, and doing so would have represented a change in the status quo, rather than the preservation of it.

---

<sup>186</sup> China first tested nuclear weapons in 1964; however US analyses as early as 1962 considered Chinese possession of nuclear weapons to be a done deal.

<sup>187</sup> USSR. Memorandum by Ambassador Aristov. April 1, 1963. Translation from the Russian by Douglas Selvage; AAN, KC PZPR, sygn. 2639, 335. Accessed via Woodrow Wilson Center Digital Archive.

<sup>188</sup> E.g., USA, Adrian Fisher, Acting Director, ACDA, to Hays Redmon, Staff Assistant to the President, enclosing Summary of Recent Soviet “Signals” on Non-Proliferation. September 23, 1966. National Security Archive.

Ultimately, the MLF fell apart not due to Soviet pressure or a US compromise to achieve the NPT, but disagreements within NATO.<sup>189</sup> The United Kingdom and France were particularly opposed, but ultimately there was little support for the MLF from NATO members other than West Germany and Italy. The United States was also increasingly concerned that “the problem as to who had the final authority to push the button was always left sort of vague” under the MLF.<sup>190</sup>

Despite the Soviet Union and the United States’ disagreement over the MLF (until 1966), both viewed nonproliferation as an important tool to maintain their status quo dominance and prevent additional countries from acquiring nuclear weapons. Beginning in 1962, representatives from the two countries met frequently in an effort to overcome their differences and achieve their common objectives.

### *Providing information*

Beyond seeking to preserve the status quo and prevent new threats from rising (in the form of new nuclear weapon states), great powers’ secondary objective was to gain information about small and medium states’ prospects for developing nuclear weapons. Scholars of bilateral US-Soviet arms control often emphasize that the USSR was generally opposed to verification and outsider inspections that would provide information about their activities.<sup>191</sup> During NPT negotiations, the Soviet Union was indeed reluctant to accept provisions that would reveal information about its nuclear activities. As internal British documents discussed,

the Russians have absolutely refused to accept anything which would affect them. This attitude springs not only from their perpetual fear of inspection, but also from an over-logical concentration on the fact that safeguards on the nuclear states are not [...] relevant to the prevention of the proliferation of

---

<sup>189</sup> Brands 2007, 395-396; 404; Timerbaev 2007.

<sup>190</sup> Adrian Fisher. Interview with Paige E. Mulhollan. LBJ Library Oral Histories. LBJ Presidential Library. November 7, 1968.

<sup>191</sup> E.g., Quester 1972; Evangelista 1999.

nuclear weapons. Only in the context of a cut-off are safeguards on the nuclears strictly essential.<sup>192</sup>

For the Soviet Union, nonproliferation was a strategy to change the behavior of other states, not its own.

Accordingly, in the multilateral context of the NPT, access to information about *NNWS' activities* was a high priority for the Soviet Union. The Soviet Union insisted on International Atomic Energy Agency (IAEA) safeguards for NNWS as a way to prevent cheating and provide information that NNWS were not secretly developing nuclear weapons. According to a former Soviet negotiator, “Russia became more Catholic than the Pope of Rome, in terms of safeguards.”<sup>193</sup>

Furthermore, instead of seeking to shield its Warsaw Pact allies from having to accept safeguards on their facilities, the Soviet Union sought safeguards for all NNWS; indicating that it was concerned about its own allies potentially developing nuclear weapons.<sup>194</sup> The United States also insisted on including verification measures in the treaty.<sup>195</sup> The United Kingdom, too, viewed safeguards on NNWS facilities as essential—although it rejected safeguards on its own facilities out of espionage concerns.<sup>196</sup>

Despite great powers' aversion to safeguards on their own nuclear facilities, they considered safeguards to be essential in order to verify that small and medium states were complying with their nonproliferation commitments. Furthermore, by providing states with information about NNWS' capabilities in the domain of peaceful nuclear energy, safeguards enabled great powers to better assess which NNWS had

---

<sup>192</sup> UK. TNA FCO 10/193, The US Draft Non-Proliferation Treaty: Effect on the German Civil Nuclear Programme Possible German Questions and Answers, March 2, 1967.

<sup>193</sup> Timerbaev 2007.

<sup>194</sup> Fisher 1968.

<sup>195</sup> USA. Secretary of State to the President: Agreement on Non-Diffusion of Nuclear Weapons, November 27, 1962, with enclosures and cover memorandum from McGeorge Bundy, November 28, 1962. National Security Archive.

<sup>196</sup> UK. TNA FCO 10/193. March 2, 1967.

highly advanced nuclear operations that could quickly be turned into a weapons program. Moreover, as other scholars have noted, small and medium states' decision to join a nonproliferation treaty and accept monitoring in the form of IAEA safeguards provided great powers with information that these small and medium states were unlikely to engage in nuclear proliferation.<sup>197</sup>

The issue of information provision was most intense in the disagreements between nonnuclear European Community states, which wanted only safeguards administered by the European Atomic Energy Agency (Euratom) on their civil nuclear facilities, and the Soviet Union, which insisted that only third party IAEA safeguards would be acceptable.<sup>198,199</sup> For the Soviet Union, Euratom safeguards were tantamount to self-inspection and offered no assurance that European small and medium states (and West Germany in particular) were not covertly developing nuclear weapons. The Soviet Union also sought IAEA safeguards out of concern that NATO and European nuclear-sharing arrangements would enable a revanchist West Germany to threaten the USSR.

The negotiation of safeguards provisions were one of the most contentious issues between the Soviet Union and European NNWS, with the United States trying to mediate a compromise between the two. Reflecting the importance of this aspect, the final text of the NPT was only agreed once the safeguards provisions were settled, and this section was left blank for much of the negotiations. Although great powers were agreed on the importance of safeguards to provide information about small and medium states' civil nuclear activities, they had great difficulty in working out the exact format and requirements of those safeguards. Ultimately, the final treaty text

---

<sup>197</sup> Coe and Vaynman 2015, 989.

<sup>198</sup> UK. TNA FCO 10/199. Letter from R. McC. Andrew to Mr. P. Wright, September 14, 1967.

<sup>199</sup> The nonnuclear members of the European Community were, in the 1960s, Belgium, Italy, Luxembourg, the Netherlands, and West Germany. France was also a member of the European Community but, as noted previously, France did not participate in the NPT negotiations.

requires states to conclude a safeguards agreement with the IAEA, but they may do so either individually or as a group of states (i.e., via an agreement between Euratom and the IAEA).

### *Process of Creating the NPT*

The theory developed in Chapter 2 expects that great powers will frame their possession of nuclear weapons as legitimate. At the same time, they will frame the problems associated with nuclear weapons (and thus the need for governance) as due to other actors' activities, specifically the potential for other actors to possess and use nuclear weapons. The theoretical expectations in Chapter 2 also anticipate that great powers will work to build support for the NPT among allies and key stakeholders, rather than focusing primarily on the overall number of states that support the treaty. In addition, while great powers can be expected to make small concessions to build support, such concessions are unlikely to make a significant difference in the outcome of the treaty. Finally, the theory expects that great powers will negotiate the NPT through institutional bodies that limit other states' participation, and will also informally limit the number of states involved in direct negotiations. They will make an agreement only by consensus, preserving their dominance and their ability to veto proposals from small and medium states.

### *Reframing Nuclear Weapons*

To promote a nonproliferation treaty as a common multilateral objective—and, in particular, to convince small and medium states to accept safeguards on their nuclear facilities—great powers sought to reframe the threat of nuclear weapons proliferation as an equal, if not greater, threat to NNWS than to NWS. This framing was used when engaging with NNWS, but was not employed in discussions between

great powers or internally within the United States. An internal US position paper in June 1964 instructed negotiators that in their efforts to persuade NNWS to accept the draft treaty's safeguards provisions, they "should point out that, since violations of the [NPT] agreement would threaten [NNWS'] own security more than the security of the nuclear powers, international inspection would appear to be in their own self-interest."<sup>200</sup> In a statement to the UN General Assembly, a US official argued, "the application of international safeguards on peaceful nuclear activities should not be viewed as of interest to the nuclear Powers alone. On the contrary, international safeguards should be of special interest to the nonnuclear States as a means of assuring them that their neighbors and others are in fact complying with the treaty."<sup>201</sup>

Likewise, the UK argued to NNWS that it was not attempting "to preserve exclusive nuclear privileges for a small group" but was merely responding to "the serious consequences that would follow if nuclear weapons were to pass into the hands of more and more States, with all the dangers that this would bring of nuclear war by mistakes, miscalculation, accident or madness."<sup>202</sup> The Soviet Union, meanwhile, démarched over fifty small and medium NNWS states—including nonaligned states and Western states—in an effort to convince them to support the NPT, claiming that if a proliferation "chain reaction" occurred, "any conflict, even a local one, can lead to a war with the use of nuclear weapons, which will pervade the whole world. Possession of nuclear weapons would give the forces of aggression, militarism and revanchism additional opportunities to organize dangerous provocations in various parts of the world."<sup>203</sup> Framing concerns around nuclear weapons as derived from other states'

---

<sup>200</sup> USA. U.S. Position Paper: Non-Proliferation of Nuclear Weapons, July 23, 1964, Collection USACDA\_March2020.

<sup>201</sup> USA. Statement by ACDA Director Foster to the First Committee of the General Assembly: Nonproliferation of Nuclear Weapons, October 18, 1965. *Documents on Disarmament* 1965, 477.

<sup>202</sup> UK. ENDC/PV.219, July 29, 1965.

<sup>203</sup> USSR. Instructions to the Ambassadors of the USSR in non-nuclear-weapon States on the issue of non-proliferation of nuclear weapons. March 22, 1968.

(hypothetical) future possession of nuclear weapons also served to legitimize great powers' status quo possession of nuclear weapons. By claiming that changes to the international status quo were more threatening to NNWS than to NWS, great powers also worked to delegitimize arguments for regulating their own nuclear arsenals.

Although great powers made broad statements that disarmament was an eventual goal and they ultimately made some concessions by including disarmament language in the NPT, they explicitly rejected the idea of linking or trading nonproliferation obligations (for NNWS) for disarmament obligations (for NWS).<sup>204</sup> They did not reject the idea that nonproliferation might eventually facilitate disarmament, but de-emphasized the connection between the two and instead emphasized the importance of nonproliferation on its own. This framing served to legitimize their continued possession of nuclear weapons. The US representative to the United Nations warned other diplomats that “those who look for a *quid pro quo* seem to consider this treaty as if it were a commercial contract in which each party seeks to trade off concessions in order to gain equal financial or trade benefits. However, the nonproliferation treaty is not that kind of agreement; its primary benefit accrues to all of us directly in the form of enhanced security and not as a result of balanced concessions.”<sup>205</sup>

The Soviet Union also repeatedly rejected the idea of a link between nonproliferation and disarmament; warning that efforts to do so would extinguish any hope of progress both nonproliferation and disarmament. Moreover, according to the Soviet representative to the United Nations, agreement on nonproliferation did not mean that agreement on disarmament would necessarily follow: “it would be wrong,

---

<sup>204</sup> USA. 1969. *International Negotiations on the Treaty on Nonproliferation*. 19-20.

<sup>205</sup> USA. Statement by the United States Representative (De Palma) to the Eighteen Nation Disarmament Committee: Nonproliferation of Nuclear Weapons. February 6, 1968. *Documents on Disarmament 1968*, 37.

of course, to think that once the non-proliferation treaty is concluded, it will then be possible to make progress automatically in the settlement of the major questions of nuclear disarmament.”<sup>206</sup> Framing nonproliferation as separate from disarmament—and as an important issue for small and medium states—helped great powers forestall efforts by small and medium states to impose disarmament obligations on great powers in the NPT negotiations.

As part of their efforts to control over the shape and outcome of negotiations, great powers also framed in the NPT in ways that created direct links between the new NPT and previous weapons governance agreements on which they had cooperated. Both the United States and the Soviet Union frequently referenced the institutional and organizational precedents of the 1963 LTBT, which was also led by great powers and took this restrictive, exclusive approach to negotiations.<sup>207</sup> The LTBT banned nuclear tests in the atmosphere, outer space and underwater (though not underground); effectively forbidding states seeking to develop nuclear weapons from testing them in the way that the existing NWS had already done.<sup>208</sup> It is notable that in the negotiations for the NPT, great powers almost never referenced the precedent of the 1967 Tlatelolco Treaty, which established the world’s first nuclear weapon free zone in Latin America, even though it was concluded while NPT negotiations were ongoing. By linking the NPT to the LTBT while deemphasizing the Tlatelolco Treaty, the great powers framed the NPT in the context of previous measures to prevent

---

<sup>206</sup> USSR. Statement by First Deputy Foreign Minister Kuznetsov to the First Committee of the General Assembly: Nonproliferation of Nuclear Weapons. May 20, 1968. *Documents on Disarmament 1968*, 370.

<sup>207</sup> E.g., NATO, C-R(67)5: Summary record of a meeting of the Council, February 13, 1967; NATO, C-R(68)9 - Summary record of a meeting of the Council, February 14, 1968.

<sup>208</sup> Negotiated by great powers, the LTBT prohibited tests they no longer deemed necessary for their nuclear programs, but that new states seeking to develop nuclear weapons would likely require. It did not ban underground tests, which were far more technologically difficult to conduct than the atmospheric tests prohibited by the LTBT, but which were still within great powers’ capabilities. In contrast, small and medium states pushed as early as 1962 for a comprehensive test ban treaty that would ban all types of nuclear tests and thus significantly impact great powers’ nuclear programs (see Myrdal 1976, 93-95). Such a treaty would not be negotiated until the 1990s.

proliferation (the LTBT), rather than efforts to ban nuclear weapons for all states (which the Tlatelolco Treaty did for Latin America).

### *Building Support*

Small and medium states supported, in principle, efforts to limit nuclear weapons, but strongly objected to the exclusive nature of the NPT negotiations, the draft treaty's institutionalized discrimination (condoning some states' possession of nuclear weapons while forbidding them for others), and the ways in which it perpetuated great powers' dominance. They frequently raised these issues in the ENDC, the UN General Assembly, and even within NATO. Despite being in a nuclear alliance with the United States, NATO countries were additionally concerned that the treaty would undermine their security by forever precluding them from developing nuclear weapons.<sup>209</sup> Even the NATO secretariat noted that among NNWS, "there persists and is bound to persist some doubt as to the sincerity of the nuclears in their efforts to bar others from something they themselves."<sup>210</sup> Building support for the treaty was thus a serious challenge for the great powers.

Although NWS briefly considered negotiating a treaty only among themselves, they soon abandoned this idea. They realized that NNWS' support for the treaty was essential because NNWS could acquire nuclear weapons even if NWS did not aid them in doing so (i.e., indigenously or with the aid of other NNWS). They thus worked to build support among their allies, as well as specific states that had the potential to develop nuclear weapons (e.g., India, Egypt, and Sweden) and small and medium states that were particularly vocal in their opposition and thus risked

---

<sup>209</sup> E.g., NATO, NE Letter 28-07-65-ENG: Letter from Netherlands representative to NATO Secretary General, July 28, 1965; NATO, C-R(67)39: Summary record of a meeting of the Council, September 20, 1967.

<sup>210</sup> NATO, RS(67)20: New U.S. Draft for a Non-Proliferation Treaty, From A.G. Kühn to A.S.G. for Political Affairs, January 26, 1967.

undermining great powers' initiative (e.g., Mexico and Yugoslavia). In addition, framing nuclear proliferation as a concern for all states, not just NWS, enabled the great powers to build support for the treaty among small and medium states and made it more difficult for NNWS to oppose the treaty. Although many NNWS were unhappy with the NPT's codification of the status quo hierarchy, they did not want to be perceived as blocking steps that would reduce the dangers of nuclear war.

Furthermore, NWS' consent to include treaty language establishing a (conditional) right to the peaceful uses of nuclear energy encouraged many NNWS to join the treaty; as many (especially those outside NATO) were concerned that they would be denied access to the benefits of peaceful nuclear technology if they rejected the NPT.<sup>211</sup> NWS used this as a bargaining tool to convince skeptical NNWS of the NPT's benefits, arguing that the NPT would provide NNWS with advantages they would lack if they did not join. The Soviet Union told NNWS that the treaty:

is designed not only to close the ways for the spread of such weapons, but also to create the most favorable conditions for non-nuclear-weapon states parties to the treaty to use the achievements of the peaceful use of the atom. [...] This means that states that join the Non-Proliferation Treaty will be in a more favorable position in terms of participating in international cooperation in the nuclear field, and they could therefore be able to save significant resources for other pressing needs of their development.<sup>212</sup>

At the same time, however, internal Soviet documents made clear that the wording of this provision "is formulated in such a way that it does not impose any obligations on the Soviet Union to sell equipment and materials to those countries to which, for one reason or another, we would not like to supply such equipment and materials."<sup>213</sup> Moreover, the Soviet Union did not see this provision as a significant

---

<sup>211</sup> Myrdal 1976, 189.

<sup>212</sup> USSR. Instructions to the Ambassadors of the USSR in non-nuclear-weapon States on the issue of non-proliferation of nuclear weapons. March 22, 1968.

<sup>213</sup> USSR. Decree of the CPSU Central Committee on providing several amendments to the draft of the NPT, text of the amendments, May 27, 1968.

concession to NNWS. Instead, it was part of a strategy “in the interest of attracting support to the Non-Proliferation Treaty from a number of wavering states [...] to make some clarifications or additions to the draft treaty that do not change the substance of the agreed text and the adoption of which will help to attract a wider range of countries to the treaty.”<sup>214</sup>

Finally, to address NNWS’ concerns that they would be further disadvantaged in the international system and their security would be additionally undermined by the NPT, the United States, United Kingdom, and Soviet Union each unilaterally committed to support any NNWS party to the NPT that was a victim of an act or an object of a threat of aggression in which nuclear weapons were used. They also passed UN Security Council Resolution 255, which “recognize[d] that aggression with nuclear weapons or the threat of such aggression against a non-nuclear-weapon State would create a situation in which the Security Council, and above all its nuclear-weapon State permanent members, would have to act immediately in accordance with their obligations under the United Nations Charter”<sup>215</sup>

These security assurances fell short of NNWS’ objectives, but they helped shift many countries’ positions from outright opposition to the NPT into reluctant support for the NPT.<sup>216</sup> Overall, although great powers clearly sought a treaty that would change small and medium states’ behavior without requiring them to change their own, sought to control the framing around the treaty and sought to control the format of negotiations, they also made concessions to build support among key NNWS for the treaty.

---

<sup>214</sup> Ibid.

<sup>215</sup> UN Security Council, 1968, Resolution 255.

<sup>216</sup> E.g., Nigeria. ENDC/PV.237, February 3, 1966.

### *Choice of Format*

The NPT was negotiated primarily through bilateral negotiations between the US and USSR. Both sides consulted with their allies and separately with the UK throughout the bilateral negotiations. Although France and China chose to not participate in the negotiations, France favored direct negotiations between the US and USSR, in order to maintain the status quo advantage of NWS vis-à-vis NNWS.<sup>217</sup> Once the US and USSR largely agreed on a draft text, they presented it to the ENDC in 1967, using their position and privileges as co-chairs of this body. This allowed for input from a few NNWS, while still excluding most NNWS (as opposed to the General Assembly, in which all NNWS participated). The United Kingdom and France were also members of the ENDC. Together, nuclear weapon states comprised 22 percent of the ENDC; a much larger percentage than in any other multilateral negotiating body.

The other members of the ENDC were a mix of great powers allies and non-aligned states: Brazil, Bulgaria, Burma, Canada, Czechoslovakia, Egypt, Ethiopia, India, Italy, Mexico, Nigeria, Poland, Romania, and Sweden. In the ENDC, unlike the UN General Assembly, great powers and their allies outnumbered non-aligned states (although, as noted previously, several NNWS allies, including Italy and Romania, were skeptical of the NPT). In addition, although the ENDC included some states that were considering developing nuclear weapons, it also excluded others—namely West Germany, as well as Japan and Yugoslavia—thus further limiting these states' ability to influence the NPT negotiations. Although discussions on a nonproliferation treaty still took place in the General Assembly from 1966 to 1968, in order to obtain the support of a larger number of NNWS (rather than just those in the ENDC), great powers tightly restricted NNWS' ability to negotiate the form and content of the NPT

---

<sup>217</sup> USA. *Documents on Disarmament 1964*, 478-479.

in the General Assembly. They specifically revitalized the ENDC's predecessor in 1965 to develop a multilateral agreement on nonproliferation, as an alternative to negotiating in the General Assembly.<sup>218</sup>

This approach of negotiating bilaterally, eventually opening up negotiations to include a few additional states in the ENDC, and limiting in practice the opportunities for negotiations in the General Assembly facilitated great powers' ability to maintain control over the process of negotiating the treaty. US internal documents explicitly state this strategy: "It would be preferable if consultations with other governments could be delayed until an agreed US-Soviet text had been tabled at the ENDC. An agreed US-Soviet draft would increase our negotiating leverage and minimize delay in concluding the treaty."<sup>219</sup> Small and medium states recognized and were concerned by this strategy: at a meeting of the Non-Aligned Movement, Mexico argued that that "time was fast running out, because once there was an agreement between the United States and the Soviet Union in regard to a joint draft, it would become impossible to get anything changed in that document."<sup>220</sup>

In addition, the ENDC, unlike the UN General Assembly, made decisions by consensus. This was particularly important to the Soviet Union, who "insisted that the nuclear weapon powers should retain their right to veto amendments to the Treaty."<sup>221</sup> Such a format allowed great powers to maintain tight control over the development of the treaty. Still, even in the ENDC, NNWS' efforts to shape the treaty by submitting amendments were met with strong resistance from the United States and the Soviet

---

<sup>218</sup> USA 1969, 14.

<sup>219</sup> USA. Scenario for Further Consultations and Opening NPT for Signature. January 13, 1967. Collection USACDA\_March2020.

<sup>220</sup> Non-Aligned Movement. Note on Meeting of the Non-Aligned Group at the Eighteen Nation Committee on Disarmament. March 10, 1967. Accessed via Woodrow Wilson Center Digital Archive, File No. HI/1012(48)/67.

<sup>221</sup> UK. TNA FCO 10/77, Mr. Porter to Mr. Brown (Foreign Office), AD 7/1/1 (23352). January 23, 1968.

Union: “Washington was very concerned about the Mexican move [to introduce new language].” It feared that “indication of our willingness [to] consider acceptance of any amendments at this stage, even if innocuous, could open [the] floodgates,” and lead other countries to take the same approach.<sup>222</sup> For the United States, it was “imperative that [the] US and USSR should hold [a] common front against suggested amendments” to preserve their control over the negotiations.<sup>223</sup> The USSR shared these concerns regarding maintaining control over the draft treaty and coordinated bilaterally with the United States in responding to proposals made by NNWS.<sup>224</sup> The United States also pushed back on small and medium states’ efforts to move treaty negotiations to the UN General Assembly, citing the “the difficulty and impracticability of opening the treaty negotiations to 124 states. This could precipitate additional amendments [and] widen disagreement.”<sup>225</sup> Overall, the format for negotiating the NPT facilitated great powers’ ability to develop a treaty that advanced their objectives and limited small and medium states’ ability to alter the treaty.

### *The NPT’s Obligations and Omissions*

After six years of negotiations, the NPT was finalized and opened for signature on July 1, 1968. It contains several obligations for NNWS and few requirements or changes for NWS. Articles 1-3 are the core of the treaty. Article 1 of the treaty prohibits NWS from transferring nuclear weapons or control over nuclear weapons to any other states, and from aiding states in manufacturing or acquiring nuclear weapons (or control over nuclear weapons). This prohibition did not require NWS to change

---

<sup>222</sup> USA. C06595443, 364.

<sup>223</sup> USA. U.S. State Department cable 161473 to U.S. Mission, United Nations, New York. NPT: Mexican Amendments. May 10, 1968, National Security Archive.

<sup>224</sup> USA. C06595443, 362; USA. U.S. Mission Geneva telegram 1121 to State Department. Co-Chairman’s Meeting, Oct 7. October 7, 1967. National Security Archive.

<sup>225</sup> USA. C06595443, 394.

their behavior. As a UK internal memo acknowledged in 1965, “in practice none of the existing nuclear powers is disseminating nuclear weapons or knowledge related to their manufacture [...] A de facto agreement on non-dissemination among the nuclear powers can therefore be said to exist.”<sup>226</sup> US government officials were in clear agreement that the treaty did not create any additional restrictions for US national defense.<sup>227</sup> NNWS, meanwhile, commit to not receive nuclear weapons (or control over nuclear weapons) and to not manufacture or otherwise acquire the weapons or control over them (Article 2). This represents a significant restriction for small and medium states: by joining the NPT, they relinquish the option of developing weapons that great powers possess.

One of the most contentious points of disagreement between NWS and NNWS was over the issue of safeguards on peaceful nuclear facilities in NNWS.<sup>228</sup> Article 3 of the NPT requires all NNWS parties to conclude a safeguards agreement with the IAEA, who is thus charged to verify that NNWS are not developing nuclear weapons and are in compliance with the treaty. The treaty mandates this safeguards obligation for NNWS, but not for NWS, reflecting great powers’ efforts to change other states’ behavior without having to change their own. Moreover, the choice to entrust this task to the IAEA, rather than set up a new international organization facilitates great power control over the IAEA’s monitoring: the IAEA was set up by the US, UK, and USSR, and all great powers are permanent members of the IAEA’s governing board.<sup>229</sup>

In a concession to NNWS’ priorities (specifically, a proposal by Mexico), the treaty also establishes that all members have a right to use nuclear energy for peaceful purposes; albeit with an important caveat. While Article 4 of the NPT states, “nothing

---

<sup>226</sup> UK. TNA/CAB 148/51, January 14, 1965.

<sup>227</sup> USA. C06595443, 394.

<sup>228</sup> For further discussion, see pages 72-74.

<sup>229</sup> Since the breakup of the Soviet Union, Russia has held this permanent seat (as it does at the UN Security Council).

in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination,” it also carries the caveat that this right to peaceful nuclear energy exists only “in conformity with Articles I and II of this Treaty,” which commit states to not proliferate.<sup>230</sup> Thus, while Article 4 recognizes a right to nuclear energy for peaceful purposes, this is not (despite common interpretations of the treaty’s wording) an inalienable right but a right that is conditional upon them not engaging in nuclear proliferation. Moreover, the obligation is watered down from what Mexico originally proposed: instead of NWS having a duty (i.e., a legal obligation) to assist NNWS in developing nuclear energy for peaceful purposes,<sup>231</sup> the treaty language is a negative requirement that nothing shall hinder (compliant) states’ access to develop and use nuclear energy for peaceful purposes.

Article 5 of the NPT similarly extends the benefits of peaceful nuclear technology to all NNWS parties to the NPT; specifically with regard to “the potential benefits from any peaceful applications of nuclear explosions.”<sup>232</sup> However, to maintain NWS’ control over nuclear technology and to address their concern that peaceful nuclear explosions would be indistinguishable from nuclear tests, the wording of the article carefully refers to sharing the benefits from peaceful nuclear explosions, rather than explicitly allowing NNWs to conduct peaceful nuclear explosions themselves.

As an additional concession to NNWS (again, a proposal by Mexico), Article 6 of the treaty calls on states to work towards disarmament. It states, “Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective

---

<sup>230</sup> Treaty on the Non-Proliferation of Nuclear Weapons. 1968. 729 UNTS 161.

<sup>231</sup> Mexico. Mexican Working Paper Submitted to the Eighteen Nation Disarmament Committee: Suggested Additions to Draft Nonproliferation Treaty, September 19, 1967, *Documents on Disarmament 1967*, 395; Mexico, ENDC/PV.331. September 19, 1967.

<sup>232</sup> Treaty on the Nonproliferation of Nuclear Weapons. 1968.

measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.”<sup>233</sup> However, this language is intentionally vague and does not dictate what the result of those negotiations should look like, what types of measures should be taken, what is considered an early date, or what the prioritization of these different objectives should be. Thus, although language on disarmament is ultimately included in the treaty (and has become a major point of contention in the decades after the treaty was agreed), the obligations and requirements related to disarmament are far weaker than the other obligations in the treaty. Other scholars agree that disarmament is expressed as a subordinate goal in the NPT. Article 6 “is ultimately a broad statement, not far removed from an expressed ideal, with no elaboration on the means of enforcement or verification of the commitment.”<sup>234</sup> The de-emphasis on disarmament is further evidence by the fact that this is the second shortest article in the treaty.<sup>235</sup>

Bureaucratic procedures detailed in the treaty also entrench great powers’ dominance and disempower small and medium states. The procedure stipulated in the treaty for signature and ratification builds on LTBT, which was also led by great powers. It requires the ratification of the United States, United Kingdom, and USSR (the three designated depositories), as well as 40 other states. The procedure for amending the treaty, meanwhile, requires a majority vote, but with the support of all five NWS—effectively giving NWS a veto over future changes to the treaty. This procedure enables them to maintain control over the future of the treaty and prevent

---

<sup>233</sup> Ibid.

<sup>234</sup> Wilfred Wan. 2013. *Institutional Change and the Nuclear Non-Proliferation Regime*. PhD Dissertation. Irvine: University of California, Irvine, 77.

<sup>235</sup> Article 7 is the shortest article in the NPT. While not directly naming the Tlatelolco Treaty, it affirms that the NPT does not affect states’ ability to conclude regional treaties “to assure the total absence of nuclear weapons in their respective territories”.

NNWS from changing the treaty in ways that would disadvantage NWS. Provisions for withdrawal were also copied from the LTBT, reflecting what the great powers had already agreed and ensuring states had the freedom to withdraw from the treaty if “extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of [their] country”. However, the NPT was initially limited to a duration of 25 years as a concession to small and medium states (in 1995, it was extended indefinitely). These states sought a treaty of limited duration to limit the perpetual inequality of the treaty’s two-tier format.<sup>236</sup> Overall, despite some limited concessions to NNWS’ objectives, the content of the NPT places a significant burden on NNWS without requiring NWS to make significant changes to their behavior. It additionally includes procedural requirements that enable NWS to control future changes to the NPT.

Thus, while scholars, policymakers, and analysts often refer to the NPT as a “grand bargain”<sup>237</sup> between NWS and NNWS, this interpretation overstates the extent to which the treaty reflects NNWS’ preferences. As a former participant in the negotiations later recalled, “there was no balance, no mutuality of obligations and benefits.”<sup>238</sup> The treaty’s core components (Articles 1, 2, and 3) reflect NWS’ objectives, while the concessions to NNWS in other articles are limited and watered down. Articles 4 (peaceful uses of nuclear energy) and 6 (disarmament) were never part of the great powers’ original intent in the treaty and are the weakest components

---

<sup>236</sup> E.g., Switzerland, Swiss Aide-Memoire to the Co-Chairmen of the Eighteen Nation Disarmament Committee: Draft Nonproliferation Treaty. November 17, 1967. *Documents on Disarmament 1967*, 573.

<sup>237</sup> E.g., Leonard Weiss. 2003. Nuclear-weapon states and the grand bargain. *Arms Control Today*, 33(10): 21-25; Nina Tannenwald. 2013. Justice and fairness in the nuclear nonproliferation regime. *Ethics & International Affairs* 27(3): 299–317; United Nations Press Office. 2015. Recalling Nuclear-Non-Proliferation Treaty’s ‘Grand Bargain’, Secretary-General Urges Leaders at Review Conference to ‘Abandon Short-Sighted Posturing’. DC/3551; April 27, 2015. <https://www.un.org/press/en/2015/dc3551.doc.htm>; Nuclear Threat Initiative. n.d. Treaty on the Non-Proliferation of Nuclear Weapons. <https://www.nti.org/education-center/treaties-and-regimes/treaty-on-the-non-proliferation-of-nuclear-weapons/>

<sup>238</sup> Myrdal 1976, 168.

of the treaty's obligations. Overall, while both scholars and policymakers have often characterized the NPT as a grand bargain between great powers and small/medium states, the evidence in this chapter does not support such an interpretation of the overall character of the treaty. Instead, it shows that great powers jointly pursued the NPT primarily to limit potential nuclear aspirants, and that conditional language on both disarmament and the peaceful uses of nuclear energy was a relatively late additions to gain the support of small/medium states.

### ***Responses from Small and Medium States***

#### *Contesting Legitimacy*

Small and medium states did not passively accept the treaty great powers presented to them, but quickly recognized the inequality codified by the two-tier treaty. Although the treaty was substantively focused on preventing the spread of nuclear weapons, small and medium states frequently referenced broader geopolitical and security concerns during NPT negotiations. They considered the treaty to be an instrument for the great powers to entrench their dominance and subjugate small and medium states. Although other scholars have focused on West German opposition to the NPT,<sup>239</sup> a variety of small and medium states, as diverse as Egypt, Mexico, Nigeria, Romania and Sweden,<sup>240</sup> vigorously objected to the unequal nature of the NPT. According to the Swedish representative, "To place the major responsibility on their [the NNWS'] shoulders amounted to a clever design to get [the] NPT to function as a seal of superpowers' hegemonic world policy."<sup>241</sup> The Romanian representative to the ENDC expressed a widely-held view among small and medium states:

---

<sup>239</sup> E.g. Brands 2007; Hunt 2013; Gavin 2015.

<sup>240</sup> Many of which would go on to lead other multilateral weapons governance initiatives, including the Convention on Certain Conventional Weapons (Chapter 6).

<sup>241</sup> Myrdal 1976, 168.

Could it be acceptable that almost all the States of the world—generally speaking, the small and medium-sized States— should be subject to control and that only five countries, namely the nuclear Powers, should not be subject to any control measures? How could such a profoundly discrimination concept be reconciled with the sovereign equality of States, a cardinal principle of contemporary international relations, to which all the States represented on this Committee have subscribed as members of the United Nations?<sup>242</sup>

During negotiations, small and medium states sought to ameliorate many of the inequalities inscribed in the NPT. Sweden, for example, proposed that all states—not just NNWS, but NWS as well—should be subject to safeguards on their transfers of nuclear materials.<sup>243</sup> Brazil, Burma, and Nigeria endorsed this proposal at the ENDC, but it was rejected by the great powers.

Small and medium states also viewed the treaty as an instrument that would further exacerbate their insecurity vis-à-vis NWS, by enabling the existing NWS to keep their nuclear weapons and requiring all NNWS to forever forgo this option. This inequality was both social and material: as long as the great powers (and only the great powers) possessed nuclear weapons, small and medium states would be highly vulnerable to threats from great powers. As the Nigerian representative to the ENDC expressed, “many States are feeling increasingly insecure and uneasy as a result of certain actions by the great Powers which happen also to be nuclear Powers. Within the past decade we have had at least four instances of unilateral military intervention in small States in which some of the great Powers were unfortunately involved, if they were not the sole perpetrators thereof.”<sup>244</sup>

It is notable that several states that vocally objected to the NPT’s perpetuation of the nuclear status quo and the insecurity it caused for NNWS were secretly

---

<sup>242</sup> Romania. Statement by the Romanian Representative (Ecobesco) to the Eighteen Nation Disarmament Committee: Nonproliferation of Nuclear Weapons. February 6, 1968. *Documents on Disarmament 1968*, 34.

<sup>243</sup> Sweden. Swedish Proposal Submitted to the Eighteen Nation Disarmament Committee: Draft Article III of the Nonproliferation Treaty. August 30, 1967. *Documents on Disarmament 1967*, 368.

<sup>244</sup> Nigeria. ENDC/PV.228. August 30, 1965.

exploring or actively developing nuclear weapons (namely, Brazil, Egypt, India, Romania, and Sweden). Egypt, Romania, and Sweden ultimately did not develop nuclear weapons and signed the NPT in 1968, while Brazil later acceded to the treaty in 1998. However, giving up nuclear weapons and joining the treaty was a costly decision for these states and one that was far from certain during the course of negotiations. In this context, these states' objections to the treaty represented a serious threat to great powers' effort to maintain the status quo order: if they could not be convinced to sign the treaty, they might plausibly develop nuclear weapons.

Many small and medium states linked their concerns regarding the exclusionary process of negotiating the NPT and the outcome's failure to address their concerns regarding the threat that NWS' possession of nuclear weapons posed to NNWS.<sup>245</sup> Although NNWS were not opposed to nonproliferation, they insisted that it be tied to disarmament by NWS.<sup>246</sup> The Egyptian representative argued that the NPT "should not be made on the assumption that it should give the nuclear Powers certain privileges at the expense of the non-nuclear Powers, because it would then be a one-sided agreement to which many, if not the majority, would hesitate to adhere."<sup>247</sup> Similarly, the Swedish representative warned that "a treaty according to superpower design might not attract those whose aspiration would be stymied and whose activities would be controlled."<sup>248</sup> NNWS' dissatisfaction with the way great powers had pursued the NPT was so strong that some chose to not immediately sign the NPT due to its discriminatory format and its disregard of NNWS' concerns. Algeria for example, refused signing the NPT on the grounds that the treaty discriminated against

---

<sup>245</sup> E.g., Nigeria. ENDC/PV.228; Burma. ENDC/PV.250. March 22, 1966.

<sup>246</sup> NATO. Proposed Change to NPT: Proposed Mexican Changes to Non-Proliferation Treaty. October 12, 1967.

<sup>247</sup> United Arab Republic. Statement by the U.A.R. Representative (Fahmy) to the First Committee of the General Assembly: Nonproliferation of Nuclear Weapons. October 22, 1965. *Documents on Disarmament 1965*, 486.

<sup>248</sup> Myrdal 1976, 168.

NNWS, did not require disarmament by NWS, and was inadequate in addressing NNWS' security concerns regarding the great powers' possession of nuclear weapons.<sup>249</sup>

Small and medium states also strongly opposed the intense level of collaboration among great powers in the process leading to the treaty. Both US and Soviet allies as well as non-aligned countries were deeply concerned that the great powers were reaching an agreement that worked to their own benefit but disadvantaged all other states. They had reason to worry, as the two countries did collude at the expense of their allies. In September 1967, the United States presented its NATO allies with a new draft treaty from the USSR that was a significant compromise to meet European states' concerns regarding safeguards, and the United States strongly pressured its NATO allies to accept the proposed treaty language as it stood. However, the draft was not a USSR draft, but a joint US-USSR agreement: the United States presented the draft as a USSR draft in an attempt to hide the extent to which it colluded with the USSR at the expense of its allies and "allow the Americans to disengage from their commitment to the NATO draft."<sup>250</sup> In essence, the United States reached a private agreement with the Soviet Union and then attempted to impose the agreement on its allies, rather than consulting its allies as it negotiated with the Soviet Union.

Great powers recognized small and medium states' concerns over the close collaboration between great powers and their exclusion from negotiations. An internal UK cable acknowledged that "the rapprochement was from the non-aligned point of

---

<sup>249</sup> USA. Study Requested by NSSM 13, March 14, 1969. Collection USACDA\_March2020.

<sup>250</sup> NATO. New Proposals for Article III of the Non-Proliferation Treaty. RS(67)100, September 7, 1967; UK. Letter from R. McC. Andrew to Mr. P. Wright. TNA FCO 10/199. September 14, 1967; USA. US Aide Memoire. October 5, 1967; UK. Memo by Fred Mulley for the Secretary of State. TNA FCO 10/201. October 19, 1967.

view, of an excessively exclusive character”<sup>251</sup> while a CIA report noted “many countries have tied their willingness to agree to the NPT to US-USSR progress in disarmament; yet, ironically, many of the same countries are experiencing unprecedented apprehensions that the Great Powers may ‘get together’ too readily.”<sup>252</sup> The British representative to the ENDC later remarked that the non-aligned small and medium states “seemed to regard the possibility of any agreement on arms control or disarmament between East and West as little better than a plan devised by two groups of alcoholics to impose total abstinence on everyone else.”<sup>253</sup> However, while great powers recognized these concerns, they ultimately did little to alleviate them: great powers agreed to include language on disarmament in the treaty and to provide some security guarantees to NNWS, but (as noted above) the actual obligations on disarmament were very weak.

#### *Attempting to Reshape the Process*

NNWS outside of NATO and the Warsaw Pact attempted to influence the NPT’s priorities through the UN General Assembly. NNWS held an overwhelming majority in the General Assembly and the body adopts decisions by majority votes, which facilitated NNWS’ efforts to promote their objectives. This stood in contrast to the more restricted and smaller ENDC, where NWS exerted considerably greater influence on decision-making. Specifically, NNWS passed UN General Assembly Resolution A/RES/2028(XX) in 1965, which laid out the core principles that they wanted included in the treaty. These principles included no loopholes, a mutual balance of responsibilities and obligations between NWS and NNWS, and that the

---

<sup>251</sup> UK. TNA FCO 10/77. UKMIS Geneva, January 17, 1968.

<sup>252</sup> USA. Prospects for the Nonproliferation Treaty. Central Intelligence Agency, Directorate of Intelligence No. 1582/68. November 27, 1968.

<sup>253</sup> Alun Chalfont. 2000. *The Shadow of my Hand: A Memoir*. London: Weidenfeld & Nicholson, 109.

treaty should be a step towards disarmament. The resolution, however, was ignored by great powers during their negotiations.

In an effort to move negotiations to a format less controlled by the great powers, NNWS voted at the 1966 UN General Assembly to hold a conference of nonnuclear states in 1968 to consider “(a) How can the security of the non-nuclear States best be assured? (b) How may non-nuclear Powers co-operate among themselves in preventing the proliferation of nuclear weapons? (c) How can nuclear devices be used for exclusively peaceful purposes?”<sup>254</sup> Both the format of the conference and its content evidenced NNWS’ attempt to exercise greater agency in the negotiations and to limit the influence of NWS in dictating the course and outcome of negotiations. Reflecting their effort to gain control over the negotiating format, NNWS invited NWS, but did not give them the right to vote. NWS opposed the conference, did not attend, and rejected NNWS’ attempt to reshape the negotiations.

Despite these objections to both the format of the negotiations and content of the agreement, many small and medium states quickly signed the NPT: within two years of the treaty opening for signature, 92 states had signed the treaty (73 percent of all UN member states in 1970) and 54 (43 percent) had ratified it. This is a relatively fast rate of signature and ratification for a universal treaty: by comparison, the Treaty on the Prohibition of Nuclear Weapons (Chapter 6) had 80 signatures (41 percent of all UN member states in 2019) and 35 ratifications (18 percent) two years after it opened for signature.

Why did small and medium states sign and ratify the NPT even though they were fully aware that the treaty perpetuated and entrenched the status quo dominance of the great powers? First, despite great powers’ rejection of a link between nonproliferation and disarmament, small and medium states continued to draw links

---

<sup>254</sup> UN General Assembly. 1966. A/RES/2153(XXI) B.

between the two. Thus, although many were disappointed with the outcome of NPT negotiations, they ultimately supported the treaty as a first step towards disarmament. As the Ethiopian representative phrased it, the choice of whether to join the treaty or not was “a choice between making a little progress or no progress at all.”<sup>255</sup> Second, great powers’ concessions to include language on disarmament and on access to peaceful nuclear technology in the treaty text also helped build support among small and medium states. Third, the security assurances offered in UN Security Council Resolution 255—although widely perceived by NNWS as weak and insufficient—were, for many small and medium states, better than the status quo of no security assurance from NWS. Finally, strong pressure from the great powers led many of their allies to quickly join the treaty.<sup>256</sup>

### ***A Cooperation Problem?***

To a limited degree, the NPT can be understood as an attempt to solve a cooperation problem (the need to prevent nuclear proliferation). As noted above, the United States and the Soviet Union were concerned about any NNWS acquiring nuclear weapons and the potential this would create for nuclear war. To address this challenge, a multilateral treaty was more efficient and lower in transaction costs than striking bilateral nonproliferation deals with all states. Rather than having to negotiate side payments and individual bargains, they developed an agreement that applied to all states that might pursue nuclear weapons. Moreover, the inclusion of the safeguards provision in the treaty indicates a rationalist design mechanism, as it provided a way for states to make more credible their commitment to nonproliferation and to monitor

---

<sup>255</sup> Ethiopia. Statement by the Ethiopian Representative (Makonnen) to the First Committee of the General Assembly: Nonproliferation of Nuclear Weapons. May 6, 1968. *Documents on Disarmament 1968*, 294.

<sup>256</sup> See Quester 1972, 26-27 for a discussion of Soviet pressure on allies.

each other's compliance.<sup>257</sup> In these aspects, great powers' pursuit of the NPT appears consistent with a rational choice explanation.

One vein of rationalist scholarship seeking to explain the emergence of arms control agreements specifically emphasizes the tradeoff between actors' lack of knowledge about others' behavior and thus the need to impose transparency and monitoring on others, and actors' desire to preserve their own security and thus avoid obligations like transparency and monitoring.<sup>258</sup> Coe and Vaynman claim that this tradeoff makes arms control rare and unlikely, and that only agreements that satisfy this tradeoff for parties will be concluded. However, in the case of the NPT, this was not an impediment: rather, great powers crafted an agreement that avoided such a tradeoff altogether. Yet they did not avoid it through unilateral monitoring (the approach through which Coe and Vaynman argue the tradeoff can be avoided). Instead, although they sought both transparency and secrecy, great powers sought transparency for others and secrecy for themselves. They subjected NNWS to IAEA safeguards and rejected mandatory safeguards for their own nuclear facilities. NWS' refusal to accept safeguards on their own facilities undermines the argument that the formation of the NPT can be explained as a rational choice cooperation problem: the treaty lowered monitoring costs for NWS vis-à-vis NNWS, but not vice versa.

Moreover, while such a rationalist interpretation might seek to explain NNWS' opposition to the treaty based on concerns about a tradeoff between transparency and secrecy (i.e., that they were concerned about safeguards on their civilian nuclear facilities revealing sensitive information about other activities), NNWS' opposition was instead based on concerns regarding inequality and insecurity. More broadly, these rational choice explanations do not account for why and how great powers

---

<sup>257</sup> Coe and Vaynamn 2015.

<sup>258</sup> Coe and Vaynman 2020.

intensely cooperated in this area, including sometimes at the expense of their allies, as well as the extent to which they imposed the treaty on small/medium states. Thus, while rational choice expectations explain some of why and how great powers pursued the NPT, this explanation does not fully address the process leading to and the outcome of the treaty, including opposition to it from NNWS.

Drawing on foundational principles in scholarship on the rational design of international agreements, Kreps finds that arms control agreements that place higher levels of obligation on the parties are harder to conclude, and that agreements requiring a higher level of delegation to third parties delay entry into force.<sup>259</sup> The NPT does contain features that indicate lower levels of obligation, especially its initial duration of 25 years (rather than an indefinite treaty), as well as permitting reservations and clarifications of understandings. However, such language was added at the very end, and these aspects were not significant or contentious during most of the negotiations. Although these aspects of the final agreement are consistent with rational choice explanations regarding the treaty's likelihood of being concluded, such an explanation does not account for why and how great powers pursued the treaty.

In addition, the requirement for small and medium to submit to IAEA inspections, rather than Euratom self-inspections for European NNWS, required a high degree of delegation by these states and hampered negotiations considerably. However, the NPT was only a high-delegation agreement for small and medium states, not for great powers who had no safeguards obligations. An explanation rooted in factors like obligation and delegation does not explain how these requirements impacted states differently, and how the NPT secured such worldwide adherence despite most states' inability to shape the negotiations. Ultimately, the alternative explanation that the NPT was a solution to a rational choice cooperation problem does

---

<sup>259</sup> Kreps 2018, 145.

not capture how central the discrepancies between great powers and small/medium states were to producing the process leading to the NPT and the outcome of negotiations.

### *The Influence of Domestic Politics*

The second alternative explanation presented in the theory chapter regarding why and how states pursue multilateral weapons governance is that these agreements were primarily driven by domestic politics. Overall, domestic politics played a limited role in the NPT negotiations: great powers were concerned about external threats and there was little popular pressure for nonproliferation. However, there were a few important exceptions in which changes in domestic leadership may have significantly influenced the outcome of the NPT negotiations.

Specifically, while the US decision to pursue the NPT was driven by concerns that the international security environment was becoming more unstable and new threats were rising as more states acquired nuclear weapons, US interest in arms control and nonproliferation was also stimulated by the shift in presidential administrations from Dwight Eisenhower to John F. Kennedy. As James Goodby, who worked in several presidential administrations, noted, “there was a feeling, particularly among the top people in the Kennedy administration, that Eisenhower had let the whole nuclear weapons issue get too much out of hand.”<sup>260</sup> Part of the Kennedy administration’s increased focus on nuclear issues and heightened concern regarding nuclear proliferation involved a shift in policy that made the NPT possible. According to one participant in the NPT negotiations, the United States’ position in 1961, in contrast to its position on the Irish resolution in 1960, was due to President Kennedy’s

---

<sup>260</sup> Goodby 1990.

new approach to arms control and disarmament.<sup>261</sup> However, the Cuban Missile Crisis—an external event—was important in shifting the Kennedy administration’s thinking on nuclear weapons, as was China’s pursuit of nuclear weapons. While the United States did not pursue the NPT under Eisenhower’s presidency, it is not clear that the shift in the US approach was due to the difference between Kennedy and Eisenhower (and their advisors), rather than external events.

In addition, the NPT was largely negotiated and agreed under President Lyndon Johnson and US interest in the NPT should not be credited solely (or even primarily) to the Kennedy administration. Furthermore, the shift in presidential administrations from Johnson to Richard Nixon in 1969 also had little impact on the NPT. Although Nixon was less interested in nonproliferation than Johnson, and his National Security Advisor Henry Kissinger was initially skeptical of the NPT, the US Senate quickly approved ratification of the NPT in 1969 and the United States ratified the treaty in 1970.<sup>262</sup> Furthermore, Kissinger became a proponent of nonproliferation and went on to promote the creation of the Nuclear Suppliers Group in 1974, another example of multilateral weapons governance led by great powers.<sup>263</sup> More broadly, the continuity across US presidential administrations with regard to the NPT (despite their many differences on other issues) underscores the continuity of US objectives in multilateral weapons governance.

The Soviet Union also displayed remarkable continuity in its approach to the NPT across changes in leadership. Soviet objectives were clear and consistent from 1963 until the treaty was concluded in 1968: the USSR remain steadfastly opposed to the MLF in NATO and to Euratom self-inspections, while continuing to seek Eastern

---

<sup>261</sup> Shaker 1980.

<sup>262</sup> James Cameron and Or Rabinowitz. 2017. Eight Lost Years? Nixon, Ford, Kissinger and the Non-Proliferation Regime, 1969–1977. *Journal of Strategic Studies* 40(6): 839-866.

<sup>263</sup> William Burr. 2014. A Scheme of ‘Control’: The United States and the Origins of the Nuclear Suppliers’ Group, 1974–1976\*. *The International History Review* 36(2): 252-276.

bloc support for a nonproliferation treaty. Breakthroughs in the negotiations did not coincide with changes in Soviet leadership in 1964, when Alexei Kosygin replaced Nikita Khrushchev as Premier of the USSR and Leonid Brezhnev replaced him as General Secretary. In addition, although the UK also experienced a change in leadership in 1964, when the Labour Party replaced the Conservative Party, this did not alter British views on the MLF or a nonproliferation treaty. With regard to public opinion affecting the NPT negotiations, great powers did not pursue the NPT due to public pressure and I found no evidence of concern regarding domestic public backlash if they failed to produce an agreement.

However, domestic politics did influence West Germany's position on the NPT. The Christian Democratic Union (CDU) government led by Konrad Adenauer, Ludwig Erhard, and Kurt Georg Kiesinger was strongly committed to the MLF and opposed to the NPT—so much so that Finance Minister (and former Defense Minister) Franz Josef Strauss threatened to resign if West Germany signed the treaty.<sup>264</sup> When the coalition led by Willy Brandt's Social Democratic Party (SDP) came to power in 1969, West Germany changed its position and signed the NPT.<sup>265</sup> Although this occurred after NPT negotiations concluded, timing of this shift provides evidence for the explanation that changes in domestic politics—specifically, changes in the governing coalition—played an important role in West Germany's decision to join the NPT.

US intelligence reports further highlight the role of domestic politics in the timing of West Germany's decision to sign the NPT. Declassified documents note that “as the FRG [Federal Republic of Germany] approaches a national election, domestic

---

<sup>264</sup> USA. C06595443, 389.

<sup>265</sup> The CDU and SDP also disagreed on the economic and status implications of the MLF and of joining the NPT. See Harald Müller. 2003. German national identity and WMD proliferation. *The Nonproliferation Review* 10(2): 1-20.

political preoccupations appear to outweigh the international pressure that Bonn has been under to sign [the NPT]. It is now extremely unlikely that West Germany will sign before the Bundestag election on September 28 [1969].”<sup>266</sup> Declassified US reports further conclude that “now that domestic political motivations are beginning to dominate, [Willy Brandt] and the SPD are adopting an attitude of caution on the NPT [...] In this election year, they are none too sure that touting the NPT and pressing for signature—particularly if such pressure produced a serious squabble within the Coalition—would not hurt them at the polls.”<sup>267</sup> This lends additional evidence to the argument that West Germany’s decision to join the NPT was driven by a change in domestic political leadership.

However, some scholars claim that this shift was because United States threatened to abandon West Germany militarily if it did not sign the NPT, and that this coercive pressure from a great power ally was instrumental in shifting West Germany’s position on the NPT.<sup>268</sup> Although the empirical evidence for this claim is disputed,<sup>269</sup> it suggests that West Germany’s shift from opposing to joining the NPT was driven by its relationship with the United States. In addition, although West Germany signed the NPT in 1969, it did not ratify the treaty until 1975, suggesting that signifying the treaty in 1969 did not indicate a sudden shift in its position towards the treaty. Yet although Gerzhoy claims that “even prior to the election of Willy Brandt, US pressure had ensured that German signature was only a matter of time,” the SPD’s victory in the 1969 election is essential to explain the timing of West

---

<sup>266</sup> USA. Thomas Hughes, Director, Office of Intelligence and Research, to Secretary of State. FRG: Further Delay on NPT Signature. Intelligence Note-327. April 30 1969. Secret. National Security Archive.

<sup>267</sup> Ibid.

<sup>268</sup> Gerzhoy 2015.

<sup>269</sup> Jonas Schneider and Gene Gerzhoy. 2016. Correspondence: The United States and West Germany's Quest for Nuclear Weapons. *International Security* 41(1): 182–185.

Germany signing the NPT.<sup>270</sup> In sum, while I find some evidence that changes in domestic ruling coalitions led to important developments in the NPT process—especially in West Germany’s decision to join the NPT—these changes do not decisively explain the process and outcome of the treaty overall.

### ***Conclusion***

In this chapter, the process leading to the NPT clearly demonstrates the logic of great powers’ purpose in pursuing multilateral weapons governance and their (successful) efforts to design a treaty that preserved their status quo position while reducing rising threats. They pursued the treaty to preserve their status quo dominance, cutting off an important avenue for other states to challenge their dominance and upset the status quo. In addition, they pursued an agreement that provided significant information about other states’ activities, to verify that other states were not pursuing nuclear weapons that would enable them to challenge great powers. By framing nonproliferation as a concern for small and medium states and as a separate issue from disarmament, controlling the format of negotiations, and making occasional concessions to particular small and medium states to build support, great powers were able to craft a multilateral agreement that advanced their objectives. This chapter, thus, supports the theoretic expectations presented in Chapter 2 regarding multilateral weapons governance by great powers. It also shows that while some aspects of the NPT’s final outcome are consistent with rational choice explanations and some parts of the process leading to the treaty may have been influenced by domestic politics, overall, the NPT was not primarily driven by domestic politics, nor can it be reduced to a rational mechanism to reduce transaction or monitoring costs.

---

<sup>270</sup> Gerzhoy 2015, 124.

Other scholars have also pointed to the NPT as an example of superpower collusion.<sup>271</sup> The empirical evidence presented in this chapter supports such an interpretation, but offers greater insight into why and how the United States and the Soviet Union cooperated contra small and medium states and how the objectives they pursued were eventually represented in the treaty text. The convergence of great powers' objectives on this issue was necessary but not sufficient to achieve a treaty that advanced these objectives. The process via which they pursued the treaty—how they framed the question of (non)proliferation and how they won over small and medium states while limiting these states' ability to influence the negotiations—was also essential for reaching a treaty that reflected and successfully advanced their objectives. Moreover, this chapter's analysis also provides new insight into the dynamics of contestation between great powers and small/medium states over the NPT, and how great powers were able to secure widespread adherence to the treaty, despite resistance from small and medium states.

Moreover, although the NPT is perhaps the most famous example of multilateral weapons governance led by great powers, this chapter shows how it drew upon other agreements led by great powers. The NPT has also since served as inspiration for future agreements led by great powers, such as the Nuclear Suppliers Group and UN Security Council Resolution 1540. The NPT, thus, is not unique in nuclear governance but a particularly salient example of great powers' efforts to preserve their status quo dominance through multilateral agreements, and part of a broader pattern in multilateral weapons governance. Finally, this chapter undercuts the idea that the NPT was a grand bargain between NWS and NNWS: although NWS did make some concessions over the course of negotiations, the provisions sought by NNWS are weak and limited in the final treaty text.

---

<sup>271</sup> E.g. Brands 2007; Coe and Vaynmam 2015.

Fifty years after its entry into force, the NPT remains an instrument for great powers to preserve the status quo and prevent new threats from rising. Despite ten review conferences since the treaty entered into force in 1970, implementation of the NPT has not evolved to address NNWS' priorities and concerns. As one scholar concluded 43 years after the NPT was agreed, "Talks of a nuclear weapons convention or a binding agreement for security assurances remain pipe dreams, and the exact shape of the inalienable right to nuclear energy remains as vague as ever. All this is despite the fact that these legal concerns emerged in the negotiations surrounding the drafting of the treaty in the 1960s."<sup>272</sup> Notwithstanding major changes to international relations since 1968—including both the end of the Cold War and the return of US-Russia tensions in the 2010s—the NPT remains a codification of the status quo inequality between great powers and small/medium states.

---

<sup>272</sup> Wan 2013, 255.



## CHAPTER 5

### A PROHIBITION ON NUCLEAR WEAPONS

#### ***Introduction***

On July 7, 2017, 122 states voted at the United Nations to pass the new Treaty on the Prohibition of Nuclear Weapons (TPNW). They were cheered on by the civil society International Campaign to Abolish Nuclear Weapons, which was later awarded the 2017 Nobel Peace Prize for its work to bring the treaty to fruition. Yet all nine nuclear weapon states were notably absent for the treaty negotiations, and the P5 later released a statement condemning the treaty. The states that were supposed to give up their nuclear weapons under this new treaty instead rejected the treaty outright. Why did so many states negotiate (and subsequently celebrate) a treaty banning nuclear weapons when all nuclear weapon states remained adamant that they would not give up their nuclear weapons?

Given great powers' dominance in both the possession of nuclear weapons and in international relations more broadly, it is puzzling why small and medium states would expect to accomplish anything by pursuing a treaty to prohibit nuclear weapons when the great powers opposed it. Indeed, many analysts in nuclear weapons states and nuclear-allied states have dismissed the TPNW as meaningless.<sup>273</sup> Yet the majority of states in the world invested considerable time and diplomatic resources—often in direct defiance of great power *démarches*—to pursue and negotiate this treaty. Given that most states were involved in the TPNW process, the treaty is an important

---

<sup>273</sup> E.g. Matthew Harries. 2017. The Real Problem With a Nuclear Ban Treaty. *Carnegie Endowment for International Peace*. March 15, 2017; Rod Lyon. 2017. The Nuclear Ban Cometh ... Unfortunately. *Australian Institute of International Affairs*. July 6, 2017. <http://www.internationalaffairs.org.au/australianoutlook/the-nuclear-ban-cometh-unfortunately/>; Jon Wolfsthal. 2017. Second Time is Not a Charm for the Nuclear Ban Treaty. *Arms Control Wonk*. June 29, 2017. <https://www.armscontrolwonk.com/archive/1203455/second-time-is-not-a-charm-for-the-nuclear-ban-treaty/>.

case of multilateral weapons governance to understand. In both its purpose and process, the TPNW is characteristic of agreements led by small and medium states. Moreover, its outcome is representative of patterns in weapons governance agreements led by small and medium states. Consistent with the trends presented in Chapter 3, the TPNW is a legally binding treaty, involves prohibition as its primary form of regulation, and governs nuclear weapons. At the same time, however, the TPNW's perceived futility also makes it a particularly salient case for examining why states that are not great powers pursue multilateral weapons governance.

To explain why and how small and medium states pursued the TPNW, this chapter highlights how multilateral weapons governance by small and medium states is an effort to remake the rules of the international system. While Chapter 4 demonstrated how great powers pursue multilateral weapons governance to maintain their status quo dominance in world politics, this chapter shows how small and medium states use multilateral weapons governance to limit their vulnerability to great powers and exercise greater agency and influence in international relations.

In this chapter, I assess the theoretical expectations developed in Chapter 2 regarding why and how small and medium states pursue multilateral weapons governance, and what the outcomes of these efforts are. To do so, I examine the process leading to the TPNW, including small and medium states' motivations for pursuing the treaty, how they pursued the treaty, what the treaty's obligations are (and are not), and the reactions from great powers to the treaty. I find that in addition to concerns regarding the effects of nuclear weapons and their own vulnerability vis-à-vis great powers, small and medium states pursued this agreement to exercise greater agency and influence in world politics. The choices they made along the way—particularly relating to how they framed nuclear weapons as a humanitarian issue, built broad support for the agreement, and their choice of institutional format for

negotiating the treaty—were intentional decisions to achieve these objectives. Furthermore, I find that the treaty text (i.e., the outcome of the agreement) reflects these objectives and lacks provisions that would have advanced other objectives. In addition, even though great powers have rejected the treaty and are unlikely to join it, they view it as reshaping relations among states and as a potent threat to their dominance in world politics. I also find that both rationalist institutionalist explanations and explanations rooted in domestic politics fail to explain the emergence and evolution of the TPNW.

This chapter draws extensively on interviews I conducted with diplomats, international organization bureaucrats, and civil society participants involved in the process leading to the TPNW. Given the sensitivity of material discussed, interviews were conducted on a not-for-attribution basis. Interviewees coded as ‘G’ refer to government officials (diplomats), interviewees coded as ‘I’ refer to international organization bureaucrats, and interviewees coded as ‘C’ refer to members of civil society organizations.

### ***Background: Stalemate in Disarmament***

Disagreements over the prioritization and pace of nuclear disarmament have been a longstanding feature of the relationship between nuclear and nonnuclear weapon states. Although Article 6 of the 1968 Treaty on the Nonproliferation of Nuclear Weapons (NPT) requires states parties to “pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control,” implementation of the treaty has primarily focused on nuclear nonproliferation rather than disarmament.<sup>274</sup> The great

---

<sup>274</sup> Treaty on the Nonproliferation of Nuclear Weapons. 1968. 729 UNTS 161.

powers (the P5) all possess nuclear weapons and their possession of nuclear weapons is legitimated by the NPT, which acknowledges their position as nuclear weapons states. By contrast, all nonnuclear weapon states fall into the category of small and medium states.

Although no singular event provided the ‘shock’ that led small and medium states to pursue the TPNW, the increasing stalemate in existing nuclear institutions in the post-Cold War period, and especially after 2010, propelled nonnuclear weapon states to pursue a treaty to ban nuclear weapons. The process began in the wake of the 2010 NPT Review Conference. This review conference was seen as a success, in large part because states reached consensus on a 64-point action plan.<sup>275</sup> However, most of the action items related to disarmament required implementation by nuclear weapon states. Notwithstanding the 2011 New START treaty between the United States and Russia, nuclear weapon states failed to implement nearly all of the disarmament action items agreed in 2010. Instead, they started or intensified modernization of their nuclear arsenals, signaling a move away from instead of towards disarmament. By 2012, the action plan was already widely seen as no longer viable due to the actions of nuclear weapon states and the United States and Russia in particular.<sup>276</sup> This intensified nonnuclear weapon states’ frustration with the status quo.

As a result of these dynamics, many nonnuclear weapon states viewed multilateral progress on disarmament as stalled and began to search for ways to break the deadlock even before the 2010 review conference. The process leading to the TPNW was led by a cross-regional group of nonnuclear weapon states, many of which had led other processes to prohibit or regulate weapons. This ‘core group’ comprised Austria, Brazil, Ireland, Costa Rica, Mexico, New Zealand, Nigeria, and South

---

<sup>275</sup> The states parties to the NPT hold a quinquennial conference to review and advance implementation of the treaty.

<sup>276</sup> Interview I-04. November 29, 2019.

Africa.<sup>277</sup> Most of these states had been leaders in other initiatives led by small and medium states to regulate or ban weapons. For example, Mexico had led the creation of the Latin American Nuclear Weapon Free Zone, while Ireland and New Zealand were both leaders in the Cluster Munitions Convention. Diplomats valued this shared experience involving previous initiatives as important: in the view of one diplomat, “the key players in the TPNW were our partners in the Mine Ban Treaty and the Cluster Munitions Convention—there’s a clear overlap in Latin America and Africa.”<sup>278</sup> In describing why their country played a leading role in the process leading to the TPNW, another diplomat emphasized, “We played similar roles on the Mine Ban Treaty and the Cluster Munitions Convention so this nexus between disarmament, security, and international humanitarian law is not new for us.”<sup>279</sup>

The 2010 NPT Review Conference further galvanized the process leading to the TPNW. The outcome document of the 2010 NPT Review Conference “express[ed] its deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons and reaffirms the need for all States at all times to comply with applicable international law, including international humanitarian law.”<sup>280</sup> Although this provision received little attention at the review conference, this was the first time a NPT review conference had acknowledged the devastating humanitarian consequences of nuclear weapons use. This provision served as a focal point for small and medium nonnuclear weapon states to reframe the meaning and significance of nuclear weapons—and consequently, how they should be governed. In hindsight, one former

---

<sup>277</sup> Interview C-02. October 18, 2019.

<sup>278</sup> Interview G-13. February 18, 2020.

<sup>279</sup> Interview G-21. May 27, 2021.

<sup>280</sup> Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. 2010. Final Document. NPT/CONF.2010/50 (Volume I).

diplomat declared that this reference “was a turning point” in sparking and legitimizing the process that led to the TPNW.<sup>281</sup>

The process leading to the TPNW began with a decision by Norway to host a conference in Oslo (hereafter referred to as the Oslo conference) in March 2013 to explore the humanitarian impact of nuclear weapons. Although this framing was not entirely new, it was distinctly different from traditional framing of nuclear weapons as instruments of deterrence that contributed to state security.<sup>282</sup> This was followed by conferences hosted by Mexico on February 2014 (the Nayarit conference) and Austria in December 2014 (the Vienna conference). The P5 boycotted the Oslo and Nayarit conferences. Subsequently, a UN Open-Ended Working Group further explored the matter in 2016—which the P5 also boycotted. In December 2016, the UN General Assembly passed Resolution 71/258, which mandated that states would hold a conference in 2017 to negotiate a treaty on the prohibition of nuclear weapons. Although Resolution 71/258 had broad support among small and medium states and was sponsored by 57 states (an unusually large number for a General Assembly resolution), it was far from a consensus agreement: it was passed by a vote of 113 in favor to 35 against, with 13 abstentions. France, Russia, Israel, the United Kingdom, and the United States all voted against the resolution, while China, India, and Pakistan abstained.<sup>283</sup> The TPNW negotiating sessions were held in March 2017 and June-July 2017. The negotiating sessions were attended by 124 states—none of which possessed nuclear weapons—and the treaty was adopted on July 7, 2017 by a vote of 122 in favor, 1 abstention (Singapore) and 1 vote against (the Netherlands—the only NATO

---

<sup>281</sup> Interview G-08. January 22, 2020.

<sup>282</sup> William Walker. 2011. *A Perpetual Menace: Nuclear Weapons and International Order*. London: Routledge.

<sup>283</sup> There were 161 states present for the vote. North Korea was the only state with nuclear weapons that was not present for the vote.

member to attend the negotiations). The TPNW entered into force on January 22, 2021 with 52 ratifications.

### *The Purpose of the TPNW*

As Chapter 2 lays out, I expect that small and medium states pursued the TPNW to reduce their vulnerabilities vis-à-vis great powers and instead increase their agency and influence in international relations. Evidence that small and medium states identified nuclear weapons as an important source of vulnerability in relation to great powers would support this expectation. In addition, evidence that small and medium states perceived a treaty banning nuclear weapons as enhancing their agency and influence in multilateral weapons governance would also support the theoretical expectations identified in Chapter 2.

### *Reducing Vulnerabilities*

In articulating the need for the TPNW, small and medium states repeatedly emphasized their vulnerability to the widespread devastation caused by nuclear weapons as the reason why they needed a treaty banning nuclear weapons. At the 2014 Nayarit conference, the Austrian representative summed up many small and medium states' views in asking, "How can an approach to global security that continues to be built on the credible threat of indiscriminate mass annihilation and destruction that endangers all humanity and possibly all life on earth be compatible with a 21<sup>st</sup> century understanding of international cooperation, global interconnectedness, morality and international law?"<sup>284</sup> Small and medium states outside nuclear alliances in particular viewed nuclear weapons as threatening, rather than protecting, their security and

---

<sup>284</sup> Austria. 2014. Statement by Ambassador Alexander Kmentt. Second Conference on the Humanitarian Impact of Nuclear Weapons.

survival. For them, all states and all people were vulnerable to destruction from nuclear weapons.

The three humanitarian consequences conferences in 2013 and 2014 heightened attention to the global vulnerability created by nuclear weapons. They disseminated new research and knowledge regarding the long-term consequences of nuclear weapons use, including long-lasting radiation, alterations to the climate, and societal upheaval, as well as the prevalence of nuclear accidents. In doing so, these conferences raised concern among small and medium states regarding the devastating humanitarian effects of these weapons, and helped create a sense of urgency to take action to prevent such effects.<sup>285</sup>

Although the humanitarian consequences of nuclear weapons was a strategic framing tool (discussed below), the treaty—and the process leading to it—was also driven by concerns regarding the destructive effects of these weapons and the inability to protect against them. Small and medium states repeatedly referenced how the use of nuclear weapons would be inherently indiscriminate, cause unnecessary suffering, and impact countries around the world.<sup>286</sup> As a result, they argued, nuclear weapons could never be used in a way that was lawful and therefore must be banned. To underscore this point, Pacific Island states where nuclear testing had taken place highlighted the devastation that nuclear denotations had caused for their countries and argued that a ban on nuclear weapon was imperative.<sup>287</sup> Linking the effects of atmospheric testing to the potential effects of nuclear weapons use in war, the representative of New Zealand explicitly stated that “the consequences of testing in our region have been harmful

---

<sup>285</sup> Interview I-04. November 29, 2019

<sup>286</sup> Austria. 2014. Humanitarian Pledge. <https://www.bmeia.gv.at/en/european-foreign-policy/disarmament/weapons-of-mass-destruction/nuclear-weapons/vienna-conference-on-the-humanitarian-impact-of-nuclear-weapons/>

<sup>287</sup> E.g. Fiji. 2016. Statement by Ambassador Nazhaat S. Khan on Open-Ended Working Group on Nuclear Disarmament. August 5, 2016; Palau. 2016. Panel III: Exchange of Views, Statement on Open-Ended Working Group on Nuclear Disarmament. May 4, 2016.

enough. But they would pale into insignificance when compared with the effects of a nuclear weapon detonation—and even more so with the effects of a regional nuclear conflict—centered on a heavily populated area.”<sup>288</sup>

However, while small and medium states acknowledged the threat that nuclear weapons pose to the lives of civilians, their discourse also focused on how nuclear weapon states’ possession of these weapons threatened nonnuclear weapon states and threatened global security. They rejected the idea that these weapons in any way contributed to international security and they repeatedly sought to break the linkage between nuclear weapons and international security. During the 2016 Open-Ended Working Group on Nuclear Disarmament, the Community of Latin American and Caribbean States emphasized their concern,

that the world continues to live under the constant threat of a nuclear war and the catastrophic humanitarian consequences of a nuclear weapons detonation would affect the planet as a whole, irrespective of the region in which takes place. Such risk continues to exist mainly because a few countries still regard nuclear weapons as legitimate guarantors of stability and security. We are particularly concerned that these countries fail to acknowledge that nuclear weapons provide a false sense of security.<sup>289</sup>

Similarly, the Austrian representative stated at the Oslo conference. “Given these devastating global consequences of NWs [nuclear weapons], it is increasingly unacceptable that such an existential threat to all humankind continues to be handled by a few states as a national security matter.”<sup>290</sup> Likewise, the Nepalese representative to the TPNW negotiations stated, “We do not believe that nuclear weapons can be

---

<sup>288</sup> New Zealand. 2014. Statement by Ambassador Dell Higgin. Second Conference on the Humanitarian Impact of Nuclear Weapons, Nayarit, Mexico. February 14, 2014.

<sup>289</sup> Community of Latin American and Caribbean States. 2016. Proposal by the Community of Latin American and Caribbean States (CELAC) on effective legal measures to attain and maintain a world without nuclear weapons. Open-ended Working Group taking forward multilateral nuclear disarmament negotiations. A/AC.286/WP.15. April 12, 2016.

<sup>290</sup> Austria. 2013. Concluding remarks by Ambassador. Alexander Kmentt. March 5, 2013.

useful deterrents; instead they are the cause of [the] security dilemma among the nuclear States.”<sup>291</sup> For members of the Caribbean Community,

nuclear weapons have no utility in today’s world. They are not useful deterrents but rather cultivate a state of insecurity and false defensiveness that only increases the chances of proliferation with devastating impact on all of us, far beyond the parties directly involved in conflict. Particularly, as small island developing states we are very aware that our strategic location, marine borders and socio-economic realities leave us as potential soft threats for nuclear terrorism.<sup>292</sup>

According to a close observer of the negotiations, “most countries see nuclear weapons as a security risk not a security benefit. They’re not changing their calculations due to the TPNW because nuclear weapons were never part of their security doctrine.”<sup>293</sup> By framing nuclear weapons as undermining, rather than contributing to international security, small and medium states promoted a different understanding of what security involves. Instead of nuclear weapons providing security through deterrence, nuclear weapons were understood as threatening security through their potential for use and the effects of their use. Small and medium states argued that not only the use, but the possession of nuclear weapons, undermined security through deterrence doctrines and threatened smaller, nonnuclear states.

Furthermore, instead of viewing nuclear weapons as an issue only affecting nuclear weapon states and their allies, participants in the TPNW process saw nuclear weapons as posing a threat to states everywhere and as an issue in which all states had a stake. As one diplomat explained, their country’s commitment to disarmament “was strengthened during the Cuban Missile Crisis: we saw the grave risk of the use of nuclear weapons at our doorstep. It made it [the threat of use of nuclear weapons] very

---

<sup>291</sup> Nepal. 2017. Statement by His Excellency Mr. Durga Prasad Bhattarai/Permanent Representative of Nepal to the United Nations at the UN Conference to Negotiate a Legally-Binding Instrument to Prohibit Nuclear Weapons, Leading Towards Their Total Elimination. March 31, 2017.

<sup>292</sup> CARICOM. 2017. Statement delivered by His Excellency Dr. Walton Webson, Permanent Representative of Antigua and Barbuda, on behalf of the member states of CARICOM. March 27, 2017.

<sup>293</sup> Interview C-02. October 18, 2019.

real for the Latin American region. It's not just a great power posturing issue but it has great implications for the whole international community as well."<sup>294</sup> Likewise, another diplomat explained their country's support for the TPNW by stating, "Our view is that nuclear weapons affect everyone and it's not just for the nuclear weapon states or NATO to decide on nuclear policies or how [to] deal with this."<sup>295</sup> Small and medium states were motivated to pursue the TPNW because the P5's possession of nuclear weapons created vulnerabilities for all states (who could be faced with catastrophic but collateral consequences should the nuclear weapon states use these weapons in war).

Nonnuclear weapon states frequently blamed nuclear weapon states for failing to live up to their disarmament obligations and endangering nonnuclear weapon states. They directly linked the devastation that could be caused the use of nuclear weapons to the states that possessed these weapons, and described states that possessed nuclear weapons as irresponsible and illegitimate. In this argument, nuclear weapon states were at fault for undermining peace and security and at the same time, for failing to take responsibility and live up to their disarmament commitments. As the representative of South Africa argued,

The argument that nuclear weapons are indispensable for the security of some States, but not for others, is not only illogical, but it is morally unethical and lacks credibility. The resistance by Nuclear Armed States to fulfill their disarmament obligations and commitments has caused serious divisions among States and created a credibility crisis in the nuclear disarmament and nuclear non-proliferation regime.<sup>296</sup>

---

<sup>294</sup> Interview G-16. February 27, 2020.

<sup>295</sup> Interview G-19. December 9, 2020.

<sup>296</sup> South Africa. 2017. Statement by Ambassador Jerry Matjila, Permanent Representative of the Republic of South Africa to the United Nations During the High-Level Segment of the UN Conference to Negotiate a Legally-Binding Instrument to Prohibit Nuclear Weapons, Leading Towards Their Total Elimination. March 27, 2017. See also Jamaica. 2017. Statement by His Excellency E. Courtenay Rattnay, Permanent Representative of Jamaica to the United Nations, General Exchange of Views, High Level Segment, United Nations Conference to Negotiate a Legally-Binding Instrument to Prohibit Nuclear Weapons, Leading Towards Their Total Elimination. March 27, 2017.

Likewise, the representative of Brazil criticized nuclear weapon states for failing to prioritize disarmament: the “lack of progress on nuclear disarmament underscores a dangerous absence of urgency on the part of States that mistakenly feel comfortable with the current status quo.”<sup>297</sup> Such statements made explicit how small and medium states recognized that great powers benefitted from the status quo, and that this was the source of their problems.

Moreover, their frustration with the lack of progress in existing institutions stemmed not from the inefficiencies of these institutions, but from small and medium states’ inability to overcome the dominance of great powers in these institutions. A diplomat from Costa Rica put it even more bluntly: “The predictability of the nuclear powers’ political agenda and the neutered mediocrity of the 2015 NPT draft outcome document stood in stark contrast to the desires of the vocal, non-nuclear armed majority, who have had enough of nuclear powers’ status quo grandstanding.”<sup>298</sup> Small and medium states repeatedly described nuclear weapon states’ behavior as ‘unethical’ and ‘immoral’, and viewed nuclear weapon states as pursuing their own national interests at the expense of international peace and security. Although small and medium states emphasized the indiscriminate, devastating effects of the weapons as reasons for why they needed to ban these weapons, they also located the blame in the states that held these weapons and their unjustifiable behavior. The New Agenda Coalition (a political group comprising Brazil, Egypt, Ireland, Mexico, New Zealand, and South Africa) argued,

Given the scale of devastation that nuclear weapons are designed to inflict, the fact that their consequences cannot be constrained within national borders and the ever increasing risk associated with a nuclear weapon detonation, the

---

<sup>297</sup> Brazil. 2016. Statement by Ambassador Regina Maria Cordeiro Dunlop – Head of the Brazilian Delegation to the Open-Ended Working Group Taking Forward Multilateral Disarmament Negotiations. August 5, 2016.

<sup>298</sup> Martiza Chan. 2016. Non-Nuclear Weapons States Must Lead in Shaping International Norms on Nuclear Weapons: A Practitioner Commentary. *Global Policy* 7(3).

continued reliance upon them in security doctrines and concepts is immoral, unethical and provides a motivation to proliferate. For the NAC [New Agenda Coalition], there can never be right hands for the wrong weapons.<sup>299</sup>

The TPNW was driven by small and medium states' dissatisfaction and frustration not only regarding dynamics within the NPT context, but with the global distribution of power and decision-making authority. This was particularly salient for small and medium states in the Global South, and the TPNW reflected the broader Global North-Global South dynamic regarding resentment about who makes the rules: "The overlap between the P5 and the NPT nuclear weapon states is not lost on states in the Global South."<sup>300</sup> Proponents of the TPNW initiative saw the TPNW as a way to limit the unchecked authority of nuclear weapon states and place small and medium nonnuclear weapon states on an equal footing to nuclear weapon states.<sup>301</sup> However, they viewed it not as a one-off treaty to address a specific problem, but a path to address broader inequalities among states. According to one diplomat, the impetus for the TPNW "should be understood as a symptom of a bigger problem. Tomorrow there will be a new initiative to produce a new framework to increase momentum and put pressure on the nuclear weapon states."<sup>302</sup> At the 2015 NPT Review Conference, the representative from Costa Rica stated, "The humanitarian conferences demonstrate that democracy has come to nuclear disarmament."<sup>303</sup> The phrase 'democracy has come to disarmament' became a slogan and a rallying cry for TPNW advocates,<sup>304</sup> signaling treaty advocates' intent to limit the authority of great powers and transcend the hierarchy of international politics.

---

<sup>299</sup> New Agenda Coalition. 2016. Open-Ended Working Group on Taking Forward Multilateral Nuclear Disarmament Negotiations. May 13, 2016.

<sup>300</sup> Interview I-04. November 29, 2019.

<sup>301</sup> Interview C-03. November 7, 2019.

<sup>302</sup> Interview G-10. January 30, 2020.

<sup>303</sup> Costa Rica. 2015. Statement at the 2015 Review Conference of the Non Proliferation Treaty: General Debate. April 29, 2015.

<sup>304</sup> Interview C-03. November 7, 2019.

### *Agency and Influence in International Relations*

The TPNW was also characteristic of multilateral weapons governance led by small and medium states in that they took matters into their own hands, without waiting for nuclear weapon states to agree. The treaty had many precedents in multilateral governance of both nuclear weapons (e.g., the 1967 Latin America Nuclear Weapon Free Zone, the 1985 South Pacific Nuclear Weapon Free Zone, and the 1995 Southeast Asia Nuclear Weapon Free Zone) and other weapons (e.g., the 1997 Mine Ban Treaty, the 2006 ECOWAS Small Arms Convention, and the 2008 Cluster Munitions Convention) without the support or participation of great powers. It rejected the premise that any nuclear disarmament initiative had to involve nuclear weapon states, even though they were the states that had these weapons and thus would need to disarm.

In doing so, the TPNW was an effort to increase both the influence of small and medium states in decision-making and governance, and their agency and ability to chart their own course independent of great powers. This was a fundamentally empowering narrative and experience for these states and for their civil society allies. As one activist put it, “We stood up to some of the most powerful, most heavily militarized countries on this planet and did something that they were forbidding us to do.”<sup>305</sup> Another emphasized that nuclear weapons are “the ultimate power symbol and it’s a very fundamental part of the international system that we created. And to have this treaty and this push where we’re basically rallying the rest of the world to create a revolution against it [...] we’re playing around with some pretty powerful things here.”<sup>306</sup> Such statements indicated how proponents saw the TPNW as a potent vehicle

---

<sup>305</sup> Ray Acheson. 2018. Interview with Tony Robinson. *Pressenza*. September 26, 2018.

<sup>306</sup> Interview C-08. March 20, 2020.

through which to exercise greater agency and influence, not just on nuclear weapons specifically, but on international relations more broadly as well.

Participants in the TPNW process emphasized their agency throughout, and the importance of the TPNW for giving them a voice in deciding the future of nuclear weapons and in international relations. They also emphasized the importance of other multilateral initiatives, including other weapons governance initiatives, led by small and medium states for increasing their agency in international relations. One diplomat explained, “We were promoters of the Tlatelolco Treaty<sup>307</sup> [...] It was a big step forward from the region that showed that nuclear disarmament is possible. We as a region can decide not to put nuclear weapons into our security doctrine.”<sup>308</sup> More broadly, according to another participant, “Small states take very seriously their role in the UN system. They really have a lot of pride in it. Like CARICOM and the Pacific Island states. They really take a lot of pride in not being bullied or cowed by big states in the room. They take pride in accomplishing things and not being cowed. The arrogance of powerful states is incredible.”<sup>309</sup>

The nuclear status quo disempowered nonnuclear weapon states. Thus, the idea that states without nuclear weapons could advance nuclear disarmament—that they could ‘do something’ about this issue—was a fundamentally empowering alternative. The Norwegian state secretary announced to participants of the 2013 Oslo conference that “they’ve been very angry, the P5, they came and they *démarched* us, and said, ‘this is a distraction.’” Yet as the director of ICAN later recalled, the Norwegian state secretary

just sort of shrugged her shoulders and said, “Well you know, their arguments weren’t very convincing.” And the whole audience laughed, and it was the first

---

<sup>307</sup> The Tlatelolco Treaty, led by small and medium states, established a nuclear weapon free zone in Latin America in 1967.

<sup>308</sup> Interview G-16. February 27, 2020.

<sup>309</sup> Interview C-03. November 7, 2019.

time we laughed at the P5. And you know right there it just clicked, like oh my god this is all about changing power dynamics, and this is all about controlling the narrative, and we're doing something and they're on the outside.<sup>310</sup>

For many states, great powers' opposition to the initiative strengthened their resolve to ban nuclear weapons. According to one diplomat, "There was a lot of aggressiveness from the P5 towards the negotiations, but we are always up to that. We have an equal footing in negotiating our own interests."<sup>311</sup> In addition, by empowering nonnuclear weapon states, the ban treaty challenged the two-tier system of nuclear haves and have-nots, and advanced equality among states. This was an effort to increase nonnuclear weapon states' influence in world politics and expand the role of small and medium states in global governance decision-making. Nonnuclear weapon states' effort to claim greater agency in world politics was not an attempt to replace nuclear weapon states entirely, but to reject the exceptional privileges afforded to these states (and their nuclear allies). As one diplomat explained, their country's leadership in the TPNW "really goes to our commitment to multilateralism as well: small states have a voice."<sup>312</sup>

Other diplomats similarly expressed the sentiment that banning nuclear weapons empowered small and medium states: at the 2015 NPT Review Conference, Austria on behalf of a group of 49 states, stated, "We have witnessed a clear shifting of the parameters, the focus, the tone and the balance of the discussion and the engagement of all countries of the treaty on nuclear weapons. Non-nuclear weapon states are today more empowered to demand their security concerns be taken in consideration on an equal basis."<sup>313</sup> Moreover, even though the Netherlands ultimately voted against the adoption of the TPNW, the Dutch representative acknowledged that "the treaty teaches us the valuable lesson that non-nuclear-weapon states have their

---

<sup>310</sup> Beatrice Fihn. 2018. Interview with Tony Robinson. *Pressenza*. June 27, 2018.

<sup>311</sup> Interview G-04. December 4, 2019.

<sup>312</sup> Interview G-19. December 9, 2020.

<sup>313</sup> Austria. 2015. 2015 NPT Review Conference Joint Closing Statement. May 22, 2015.

own responsibilities and should not hesitate to take them.”<sup>314</sup> The process leading to the TPNW provided an avenue for nonnuclear weapon states to make the rules governing weapons with a global impact.

Yet although this was a dramatic departure from the way nuclear weapons were governed under the Treaty on the Nonproliferation of Nuclear Weapons or in the Conference on Disarmament, small and medium states’ desire to exercise greater agency in the governance of nuclear weapons was not a new development. During the Open-Ended Working Group, the representative of Ireland quoted a statement by the Irish foreign minister in 1963 that “the non-nuclear states can, I submit, do something more than watch and pray while the nuclear powers negotiate or fail to negotiate the agreements required to avert the dangers which threaten them and all of us.”<sup>315</sup>

Another diplomat, whose country was a member of the core group, explained that despite their country’s lack of nuclear weapons, disarmament has been a long-standing multilateral issue for their country because “we were looking for our place among nations when we joined the UN. We were trying to define our status among states.”<sup>316</sup>

The lack of progress and growing stalemate within existing institutions and the reframing of nuclear weapons to focus on the damage they caused provided the impetus to pursue a treaty banning nuclear weapons, but the motivation to exercise greater agency and influence in international relations was a longstanding issue for small and medium states.

---

<sup>314</sup> The Netherlands. 2017. Explanation of Vote of the Netherlands on Text of Nuclear Ban Treaty. July 7, 2017.

<sup>315</sup> Ireland. 2016. Statement at Open-Ended Working Group on Nuclear Disarmament. May 13, 2016.

<sup>316</sup> Interview G-07. December 17, 2019.

### *The Process Leading to the Treaty*

In accordance with the theoretical expectations in Chapter 2, I expect small and medium states to actively and intentionally frame nuclear weapons to advance their objectives. Although great powers also do this (as the NPT case study in Chapter 4 demonstrated), I expect small and medium states to frame nuclear weapons in terms of their humanitarian effects, centering small and medium states' vulnerability while delegitimizing great powers' continued possession and potential use of nuclear weapons. Furthermore, I expect them to strengthen support for the TPNW through broad coalition-building among small and medium states, focusing on strength in numbers rather than the involvement of any particular states. Finally, I expect small and medium states to strategically choose institutional formats for pursuing and negotiating the TPNW that deny great powers special privileges and operate via majoritarian voting.

### *Reframing Nuclear Weapons*

Reframing nuclear weapons in terms of their effects was an important tool for legitimating efforts to ban them and delegitimizing great powers' continued possession of these weapons and associated dominance. Although the TPNW was motivated by a desire to reduce the threat posed by nuclear weapons and small and medium states' vulnerability to this threat, proponents also strategically framed nuclear weapons as a humanitarian issue in order to stigmatize them and build support for banning them. As one treaty proponent argued,

One of the main arguments in favor of nuclear weapon is about [their role in] security strategy. It's very abstract and you're not actually talking about burning people to death and poisoning them with radiation and making sure that the women who survive get miscarriages [due to the effects of radiation]. You would never get Germany saying 'In extreme cases we would chop up

people with machetes.’ You wouldn’t do that; it doesn’t make any sense. But nuclear weapons, has been exempt from that because it’s so abstract.<sup>317</sup>

Framing nuclear weapons in terms of their humanitarian effects was a strategic move to limit the discursive space for other approaches to governing nuclear weapons. As one TPNW supporter explained, “we frame the issue today so that when we negotiate, we put the burden of proof on proponents of the weapon [...] Framing is very much an intentional move to achieve a certain outcome.”<sup>318</sup> According to one diplomat involved in the negotiations, “the international community understands humanitarian disarmament as an effective way to communicate concerns regarding the effects of weapons.”<sup>319</sup> Framing nuclear weapons in terms of their devastating consequences centered small and medium states’ vulnerability to these weapons, added credence to the idea that these weapons should be eliminated and delegitimized arguments about deterrence and strategic stability that did not address the humanitarian effects of these weapons. According to another diplomat, “the logical next step for many states was a legally binding treaty: if you accept the humanitarian consequences of these weapons, they should be banned like all other weapons with horrific humanitarian consequences.”<sup>320</sup> Although proponents emphasized that nuclear weapons were more destructive than other weapons, they also argued that nuclear weapons should not be treated differently from other weapons that were banned. The lack of a treaty banning this weapon, they argued, was an anomaly in weapons governance; a ‘legal gap’ that should be rectified.<sup>321</sup>

---

<sup>317</sup> Interview C-08, March 20, 2020.

<sup>318</sup> Interview C-01, October 10, 2019.

<sup>319</sup> Interview G-04, December 4, 2019.

<sup>320</sup> Interview G-07, December 17, 2019.

<sup>321</sup> E.g., Thailand. 2017. Statement by Ms. Morakot Sriswasdi, Deputy Director-General, Department of International Organizations, Ministry of Foreign Affairs of the Kingdom of Thailand at the United Nations Conference to Negotiate a Legally-Binding Instrument to Prohibit Nuclear Weapons, Leading Towards their Total Elimination. March 28, 2017. See also the joint statement by the members of the Caribbean Community. CARICOM 2017.

Equally important, the humanitarian framing was also seen as having a track record of successfully advancing multilateral weapons governance initiatives led by small and medium states, in part because it “cracks the inaccessibility of the issue.”<sup>322</sup> In addition, by framing nuclear weapons as a humanitarian issue, the TPNW’s proponents tied their initiative to earlier initiatives to ban landmines and cluster munitions<sup>323</sup>—which were also led by small and medium states and are widely regarded by both scholars and policymakers as successfully banning and stigmatizing these weapons.<sup>324</sup> Doing so provided a narrative that the TPNW was building on a series of successes by small and medium states in weapons governance: “the framing creates associations and expectations among those involved in the previous processes.”<sup>325</sup> This linkage increased expectations that the TPNW could also succeed in binding great powers, and galvanized small and medium states pursuing the treaty.

In reframing nuclear weapons as a humanitarian issue, proponents also rejected the distinction between ‘responsible’ or legitimized nuclear weapon states (the P5 and especially the democracies within the P5—the United States, United Kingdom, and France) and ‘irresponsible’ or illegitimate nuclear weapon states (those states with nuclear weapons outside the NPT, especially North Korea). Under the humanitarian framing, all nuclear weapons—and all states possessing these weapon—were illegitimate. This framing directly challenged the P5’s status and special privileges associated with their possession of nuclear weapons. Additionally, this reframing attempted to shift the burden of proof from TPNW supporters to treaty opponents.

---

<sup>322</sup> Interview C-03. November 7, 2019.

<sup>323</sup> Interview G-16. February 27, 2020; Interview C-08. March 20, 2020.

<sup>324</sup> For case studies of these initiatives, see Price 1998; Petrova 2007; John Borrie. 2009. *Unacceptable Harm: A History of How the Treaty to Ban Cluster Munitions Was Won*. Geneva: United Nations Institute for Disarmament Research; M. Patrick Cottrell. 2009. Legitimacy and Institutional Replacement: The Convention on Certain Conventional Weapons and the Emergence of the Mine Ban Treaty. *International Organization* 63(2): 217-248.

<sup>325</sup> Interview C-06. November 19, 2019.

Instead of treaty proponents having to make the case that the disarmament was feasible and politically possible in the current security environment, nuclear weapon states (and their allies) were forced to justify that their continued possession of nuclear weapons was not immoral and did not cause harm.

### *Building Support Among Small and Medium States*

TPNW proponents sought to build support among small and medium states for the treaty, rather than seeking to convince the P5 to support the treaty. As one participant explained, “It’s quite risky to try something else. To do something against the big powers, they needed big support. You have to make sure you have a critical mass of states to achieve a treaty.” Proponents frequently emphasized the legitimacy of the TPNW initiative based on the number of states that participated in it. They often referenced that the vast majority of states supported the initiative as evidence of its legitimacy and ability to bring real change to international politics.<sup>326</sup> According to one diplomat involved in the negotiations, “treaties only work when you have a critical mass or really likeminded states—then you get a real interest in making the treaty work.”<sup>327</sup> The humanitarian disarmament conferences were crucial in building broad support among small and medium states for a treaty banning nuclear weapons. These conferences “created a critical mass of states sharing the same concerns.”<sup>328</sup>

The core group and other proponents also built support among small states by tying the idea of a TPNW to small and medium states’ commitments in nuclear weapon free zones. In doing so, they emphasized both that nuclear weapon free zones already contain very clear prohibitions on nuclear weapons and that they cover the entire southern hemisphere—and thus the idea of prohibiting nuclear weapons already

---

<sup>326</sup> Interview I-05. March 5, 2020.

<sup>327</sup> Interview G-02. November 27, 2019.

<sup>328</sup> Interview G-08. January 22, 2020.

enjoys broad support.<sup>329,330</sup> During negotiations, the Chilean representative recalled the precedent of the Treaty of Tlatelolco, which established the first nuclear weapon free zone in 1967 and which “demonstrated that it is politically and legally possible to secure peace and security by prohibiting the most devastating war device created by mankind.”<sup>331</sup> According to another diplomat, “the vast majority of the planet is a nuclear weapon free zone. That says a lot about the desire of people around the world [...] the vast majority of the international community wants the treaty.”<sup>332</sup> By framing the issue in terms of building on existing nuclear prohibitions led by small and medium states, this approach helped build support for the treaty among such states, particularly in the Global South.

In addition, members of the cross-regional core group built support for the initiative within their respective regions by drawing on each region’s distinctive experience with the harm caused by nuclear weapons. For example, in Latin American, proponents emphasized the region’s importance as the first nuclear weapon free zone: “It is a source of satisfaction and pride to CARICOM Member States that the Treaty of Tlatelolco commands universal adherence in Latin America and the Caribbean and stands as the world’s first nuclear weapons free zone in a densely populated region.”<sup>333</sup> In Africa, proponents emphasized both the harmful legacy of French nuclear testing in Algeria as well as South Africa’s unique role in developing nuclear weapons, and then disarming under international supervision.<sup>334</sup> In addition, the core group emphasized the shared experience of small and medium states in being

---

<sup>329</sup> Interview I-04. November 29, 2019.

<sup>330</sup> There are five nuclear weapon free zones, covering Latin American, the South Pacific, Africa, Southeast Asia, and Central Asia.

<sup>331</sup> Chile. 2017. Statement by Ambassador Alfredo Labbé, Advisor to the Minister and Especial Envoy for Nuclear and International Security. March 27, 2017.

<sup>332</sup> Interview G-04. December 4, 2019.

<sup>333</sup> CARICOM 2017.

<sup>334</sup> Interview G-04. December 4, 2019.

subjugated by the great powers. According to one member of the core group, they were able to build support among nonnuclear weapon states in the Global South because “Our trustworthiness stems from our national identity as a post-colonial state [...] This gave us a shared identity with the nonaligned movement.”<sup>335</sup>

The International Campaign to Abolish Nuclear Weapons (ICAN) played a significant role in contributing to framing nuclear weapons as a humanitarian issue and advocating for a treaty banning these weapons. ICAN received the 2017 Nobel Peace Prize for their efforts, and has received considerable attention for their advocacy.<sup>336</sup> In addition, beginning at the 2010 NPT Review Conference, the International Committee of the Red Cross argued that any use of nuclear weapons would be incompatible with international humanitarian law. Although the Red Cross focused on use, not possession of nuclear weapons, their strong statements helped advanced the framing of nuclear weapons as a humanitarian issue.<sup>337</sup> Furthermore, presentations from civil society and academia during the humanitarian conferences helped raise the profile of the devastating effects of nuclear weapons. However, it was small and medium states that hosted conferences that initiated, led, and concluded a treaty banning nuclear weapons.<sup>338</sup> They did so despite substantial pressure and opposition from nuclear weapon states. Ultimately, ICAN had no authority in either international or domestic law to create a mandate for negotiations or to negotiate and approve a treaty. Thus, while civil society certainly played an important role in reframing nuclear weapons and advocating for a ban treaty, the treaty ultimately

---

<sup>335</sup> Interview G-07. December 17, 2019.

<sup>336</sup> E.g., Rebecca Gibbons. 2018. The Humanitarian Turn in Nuclear Disarmament and the Treaty on the Prohibition of Nuclear Weapons. *The Nonproliferation Review* 25(1-2).

<sup>337</sup> Ibid.

<sup>338</sup> Hanson also emphasizes that this was a state-led process. Marianne Hanson. 2018. Normalizing Zero Nuclear Weapons: the Humanitarian Road to the Prohibition Treaty. *Contemporary Security Policy* 39(3): 464-486.

resulted from the actions of states. As one former diplomat emphasized, “the last word is with states: they [...] are the ones held accountable.”<sup>339</sup>

### *Why This Format*

Small and medium states negotiated the TPNW through a stand-alone conference authorized by a General Assembly resolution and ultimately, the treaty was adopted by a majority vote. After the humanitarian conferences in 2013 and 2014, proponents established an Open Ended Working Group (authorized under a 2015 UN General Assembly mandate) to further develop ideas for a ban treaty, build momentum for their goals, and increase support among small and medium states. The group met in 2016 to “substantively address concrete effective legal measures, legal provisions and norms that will need to be concluded to attain and maintain a world without nuclear weapons.”<sup>340</sup> As one diplomat described it, in “the [Open-Ended Working Group] there emerged a resistance to the monopoly of disarmament machinery by great powers provided for them by the principle of consensus.”<sup>341</sup> By a majority vote, the group produced a report to the UN General Assembly recommending negotiations on a legally binding treaty to prohibit nuclear weapons. The General Assembly subsequently approved this report by a majority vote and established a mandate to negotiate such a treaty in 2017.

The General Assembly serves as a symbolic representation of sovereign equality, operates on a basis of majoritarian voting, and does not allow states to veto resolutions. This choice of format was intentional: delegates frequently referenced the deadlock and inaction in other weapons governance fora—as well as the ways in

---

<sup>339</sup> Interview G-02. November 27, 2019.

<sup>340</sup> UN General Assembly. 2015. Taking forward multilateral nuclear disarmament negotiations. A/C.1/70/L.13/Rev.1

<sup>341</sup> Interview G-21. May 27, 2021.

which such fora gave special privileges to great powers—as precedents to avoid. For example, the representative of New Zealand criticized the Conference on Disarmament, stating that the Conference on Disarmament’s “limited membership and archaic rules of procedure are other reasons why it is an improbable forum for the conduct of negotiations on issues, such as nuclear disarmament, in which every member of the international community has a stake. The only truly representative forum for multilateral negotiations of this sort remains the United Nations General Assembly.”<sup>342</sup> In contrast, a diplomat from a nuclear weapon state acknowledged, “We cherish the [Conference on Disarmament] because we’re protected by the consensus rule there.”<sup>343</sup> Another delegate put it simply: “big states don’t want to lose the consensus rule.”<sup>344</sup>

Eschewing consensus-based fora, small and medium states instead used the majoritarian voting system of the UN General Assembly to pass a resolution mandating a conference to negotiate a treaty to prohibit nuclear weapons. They did so against the preferences of great powers, all of which voted against the resolution. According to a former diplomat, taking the negotiations to the General Assembly and rejecting a consensus-based approach “was a blow to the governance system dominated by the P5.”<sup>345</sup> A leading proponent of the TPNW further underscored how “in our multilateral institutions that use the consensus rule, the view of the vast majority of states hasn’t been reflected. By going through the General Assembly, it is the position on nuclear weapons that the vast majority of states has held for many decades [that wins out].”<sup>346</sup>

---

<sup>342</sup> New Zealand. 2016. Statement by Her Excellency Dell Higgie, Ambassador for Disarmament: Open-Ended Working Group on Taking Forward Multilateral Nuclear Disarmament Negotiations. August 16, 2016.

<sup>343</sup> Interview G-11. January 30, 2020.

<sup>344</sup> Interview G-01. November 22, 2019.

<sup>345</sup> Interview G-08. January 22, 2020.

<sup>346</sup> Interview G-21. May 27, 2021.

The actual negotiating sessions in 2017 took place in two stand-alone sessions. After nuclear weapons states so clearly rejected the initiative in the process leading to negotiations, proponents made little effort to win over oppositional or skeptical nuclear weapon states and nuclear allied states. Instead of trying to convince these states to participate, they considered that having a like-minded coalition would make it easier to achieve their objectives.<sup>347</sup> They were also highly conscious of the implications of making decisions by consensus, viewing it as a tool of great powers to block progress. During the TPNW negotiations, the representative of Trinidad and Tobago stressed that “for too long we have allowed the issue of consensus to stymie action in the field nuclear disarmament.”<sup>348</sup> Similarly, the representative of Chile described the negotiations as “a healthy exercise of multilateral democracy, which in the disarmament machinery has been strangled by the abuse of the rule of consensus.”<sup>349</sup> The treaty was ultimately adopted on July 7, 2017 by a vote (122 in favor, 1 abstention from Singapore, and 1 vote against from the Netherlands) rather than requiring consensus.

### ***The Treaty on the Prohibition of Nuclear Weapons***

#### *Obligations and Prohibitions*

The final text of the TPNW prohibits states parties from testing, producing, manufacturing, possessing, stockpiling, using, threatening to use, transferring, receiving transfers of, and stationing nuclear weapons. It also prohibits states from assisting others in these activities. It is thus primarily a prohibition treaty—consistent

---

<sup>347</sup> Elayne Whyte Gomez. 2018. Interview with Tony Robinson. *Pressenza*. December 18, 2018.

<sup>348</sup> Trinidad and Tobago. 2017. Statement by Her Excellency Ambassador Penelope Beckles, Permanent Representative of the Republic of Trinidad and Tobago to the United Nations at the High Level Segment of the United Nations Conference to Negotiate a Legally-Binding Instrument to Prohibit Nuclear Weapons, Leading Towards Their Total Elimination. March 28, 2017.

<sup>349</sup> Chile 2017.

with the expectations for weapons governance agreements led by small and medium states. Its preamble recognizes the risks posed by nuclear weapons, includes numerous references to the catastrophic destruction caused by nuclear weapons, as well as references to the importance of international humanitarian law; highlighting small and medium states' concern about the destructive effects of these weapons. In addition, the TPNW requires each state party to make an initial declaration as to whether it owns, possesses or controls any nuclear weapons, whether it did at any point in the past, and whether there are any nuclear weapons on its territory owned, possessed or controlled by another state.<sup>350</sup> However, it does not require regular reporting on states' compliance with the treaty, and thus provides little information about states parties' activities.

The treaty includes operative clauses requiring states parties “in a position to do so” to provide for victim assistance and environmental remediation.<sup>351</sup> This language draws from other multilateral weapons governance agreements led by small and medium states, including the Mine Ban Treaty, the Cluster Munitions Convention, and the Arms Trade Treaty. These provisions reflect its proponents' objective of reducing the devastating consequences of these weapons, but the subjective nature of clause ‘in a position to do so’ avoids creating additional requirements for most states in the world. States parties must also conclude a comprehensive safeguards agreement with the IAEA, if they do not already have one in place.<sup>352</sup> However, this is not an additional burden for most states, as nearly all states already have such an agreement in place with the IAEA. Overall the treaty requires nonnuclear weapon states that are

---

<sup>350</sup> Treaty on the Prohibition of Nuclear Weapons. 2017. A/CONF.229/2017/8, Article 2.

<sup>351</sup> *Ibid.*, Article 6.

<sup>352</sup> International Atomic Energy Agency. 1972. The Structure and Content of Agreements Between the Agency and States Required in Connection with the Treaty on the Nonproliferation of Nuclear Weapons. INFCIRC/153 (Corrected). However, as discussed below, this is not the highest standard of safeguards.

outside of nuclear alliances to make few changes to their behavior. This was an intentional component: during negotiations, nonnuclear weapon states frequently referenced how many nonproliferation obligations they had already undertaken via other treaties, and that the onus and restrictions of this treaty should be primarily on nuclear weapon states, not nonnuclear weapon states.<sup>353</sup>

Instead, the obligations in Articles 1-4 primarily impose restrictions on nuclear weapon states by requiring them (should they join the treaty) to give up and destroy their nuclear weapons. Nuclear-allied states, or states that have nuclear weapons on their territory that are “owned, possessed or controlled by another State”, meanwhile, are required to remove those weapons from their territory.<sup>354</sup> By placing the bulk of obligations on nuclear weapon states and nuclear-allied states, the treaty attempts to exercise influence over them. Recognizing this, one diplomat described Article 4, which lists the ways in which nuclear weapon states could join the treaty as “a long list of preconditions. If [...] I wanted to get rid of my nuclear weapons, I would just get rid of them without joining.”<sup>355</sup> By creating rules for how nuclear weapon states should give up and dispose of their nuclear weapons, small and medium states attempt to exercise greater agency and influence in world politics. In addition, the treaty explicitly clarifies that it shall not be subject to reservations—removing any potential for great powers (or other states) to carve out exemptions. In doing so, it further circumscribe the P5’s authority over small and medium states.

### *Omissions*

The treaty is equally notable for what it does not include: it does not include verification provisions and instead postpones that issue until a state with nuclear

---

<sup>353</sup> Author’s observation from participation in TPNW negotiations, June 16-19, 2017.

<sup>354</sup> Treaty on the Prohibition of Nuclear Weapons, Article 4.

<sup>355</sup> Interview G-09. January 23, 2020.

weapons actually decides to join the treaty (at which point TPNW states parties will presumably set up a verification arrangement or create a new agreement). Although the treaty does require states parties to have IAEA safeguards in place, it only requires safeguards at the level of the IAEA comprehensive safeguards agreement (INFCIRC/153 (Corrected))—not the higher standard of the 1997 Additional Protocol. This was explicitly at the behest of states like Brazil and Egypt that do not have an Additional Protocol in place and did not want to take on this additional obligation.<sup>356</sup>

Moreover, the treaty does not include language that would advance strategic stability—for example, by providing a pathway for nuclear weapon states to join that would not leave them exposed to threats by nuclear weapon states that have not agreed to join the treaty. Additionally, by not addressing how disarmament would be verified, the treaty could potentially enable a state to join while hiding a nuclear weapons program (which be easier to do with the treaty’s lower requirement for safeguards). In the view of one diplomat, “the TPNW completely neglects the strategic environment” of great powers.<sup>357</sup> The United States has also criticized the treaty as destabilizing.<sup>358</sup> However, it is clear that promoting stability among great powers was never treaty proponents’ purpose.

### *Building a New Norm*

TPNW supporters characterized the treaty as a step towards the elimination of nuclear weapons, rather than a final measure that would on its own rid the world of these weapons.<sup>359</sup> They viewed it as a part of a larger process of building a norm

---

<sup>356</sup> Interview C-10. May 18, 2021.

<sup>357</sup> Interview G-15. February 21, 2020.

<sup>358</sup> Peter Fabricius. 2017. Nuclear Ban: Treaty will make the world more dangerous, not safer –US. *Daily Maverick*. September 13, 2017.

<sup>359</sup> Interview C-05. November 19, 2019; Interview G-02. November 27, 2019; Interview I-04, November 29. 2019; as well as many others.

against both the possession and use of nuclear weapons, that would in turn lead to their elimination. By developing a new norm against the possession and use of nuclear weapons, the TPNW enabled small and medium states to exercise greater agency in world politics. The representative of Jamaica suggested during negotiations that the treaty

would also establish a universal norm against the possession, use, and stockpiling of nuclear weapons, thereby stigmatizing such weapons and discouraging horizontal and vertical proliferation. Weapons that are prohibited are increasingly viewed as illegitimate. They lose their political status and with it, the money and resources for their production, modernisation, proliferation and perpetuation.<sup>360</sup>

Other diplomats agreed that the small and medium states were “playing the long game” with the TPNW, “rais[ing] the bar for the nuclear haves” and that “there was never any naïve belief that they would convince nuclear weapon states with the TPNW. What the treaty would contribute to is creating a norm.”<sup>361</sup> They drew comparisons to previous multilateral weapons governance agreements led by small and medium states that have stigmatized other weapons: “No civilized state would use cluster munitions today, whether they’ve signed on or not.”<sup>362</sup>

In addition, TPNW proponents always envisioned the outcome of their initiative to take the form of a legally binding treaty in order to provide a strong foundation for a new legal norm. Proponents frequently referenced the norm-building function of international law as a justification for why a legally binding treaty (as opposed to a political commitment or informal agreement) was essential. They also saw international law as an important vehicle for leveling the playing field between great powers and small/medium states: by committing all states to common rules,

---

<sup>360</sup> Jamaica 2017.

<sup>361</sup> Interview G-07. December 17, 2019; Interview G-06. December 10, 2019; Interview G-08. January 22, 2020, respectively.

<sup>362</sup> Interview G-13. February 18, 2020.

international law increased the authority and agency of small and medium states in relation to great powers.<sup>363</sup>

As one participant in the negotiations claimed, “international law is really about restricting the big powers.”<sup>364</sup> Furthermore, according to one advocate, “Treaties are seen as the strongest tool for building new norms. The significance we socially attach to laws—it’s that it’s a higher level of the idea that you shouldn’t be breaking this commitment. The law seems to carry more weight in shifting the needle.”<sup>365</sup>

Another participant argued that “having a legal treaty would provide a strong, stable, threshold. So we wouldn’t have to rely on champion states to keep the stigma alive—it will endure without that. A treaty provided a long term perspective—which is important because banning nuclear weapons is a long-term process—because it was legally binding and can’t be easily undone.”<sup>366</sup> Participants and observers stressed the normative value of treaties: “if agreements are legally binding states feel more pressure to comply, even if there’s no enforcement or verification mechanisms. It’s more a psychological imperative than threat of consequences for non-compliance.”<sup>367</sup>

<sup>368</sup>

Furthermore, in a subtle, but important indication of how the TPNW was intended as a norm-building instrument, the treaty’s name was changed during negotiations from the Convention for the Prohibition of Nuclear Weapons to the Treaty on the Prohibition of Nuclear Weapons, because proponents were concerned that the word ‘convention’ indicated that it would be a comprehensive instrument for

---

<sup>363</sup> Interview G-16. February 27, 2020. This perception was common among TPNW proponents. However, as Krisch makes clear, great powers can also use international law to serve and advance their objectives. Krisch 2005.

<sup>364</sup> Interview C-08. March 20, 2020.

<sup>365</sup> Interview C-05. November 14, 2019.

<sup>366</sup> Interview C-06. November 19, 2019.

<sup>367</sup> Interview I-02. November 6, 2019.

<sup>368</sup> Bower similarly argues that legally binding agreements are particularly suited to facilitate the spread of new norms. Bower 2017.

eliminating nuclear weapons, like the Biological Weapons Convention or the Chemical Weapons Convention.<sup>369</sup> Although there is no legal distinction between treaties and conventions, naming it a treaty instead was a deliberate shift by proponents to indicate its more limited aim as a norm-building instrument. This norm-building, interim view of the treaty is consistent with what is expected from an agreement led by small and medium states.

### ***Responses from Great Powers***

#### *Rejection of Legitimacy*

The four nuclear weapon states not recognized by the NPT (India, Pakistan, Israel, and North Korea) largely ignored the TPNW, as did China. The rest of the P5, on the other hand, (and the United States in particular) vigorously sought to deny the treaty's legitimacy. Although they did not criticize the goal of nuclear disarmament, they attacked the treaty as unrealistic, misguided, counter-productive, and 'magical thinking'. Yet, as one diplomat acknowledged, "In disarmament, we say things are 'unrealistic' or 'impractical' to undermine the other side."<sup>370</sup> In a clear example of this approach, US officials characterized the TPNW as a:

deliberately provocative and divisive approach – drawing moralistic lines between stakeholders in the international community, for instance, slandering and demonizing those who disagree with its crusade, urging key states to take positions they understand to be gravely detrimental to those states' national security, and ignoring imperatives tied to deterring aggression and maintaining alliance relationships that underpin peace and security in critical areas of the world.<sup>371</sup>

The P5 also explicitly rejected that it contributes to international law in any way; in an effort to deny any foundation for customary international law based on the

---

<sup>369</sup> Interview C-02. October 18, 2019.

<sup>370</sup> Interview G-14. February 20, 2020.

<sup>371</sup> United States. 2018. Where Next in Building a Conditions-Focused Disarmament Discourse? October 14, 2018.

treaty and limit its potential to develop a new norm stigmatizing nuclear weapons. Immediately after the treaty was concluded in 2017, the United States, United Kingdom, and France released a statement that, “There will be no change in the legal obligations on our countries with respect to nuclear weapons. For example, we would not accept any claim that this treaty reflects or in any way contributes to the development of customary international law.”<sup>372</sup> This was not merely a perfunctory statement: according to one former diplomat, “they’re playing the role of the persistent objector and they’re really terrified that it will become a new norm or will become customary international law.”<sup>373</sup> Were the treaty to contribute to the development of a new norm against nuclear weapons, it would erode the dominance, prestige, and privileges that nuclear weapon states enjoy in world politics.

In addition, the P5 devoted considerable diplomatic capital to pressuring states to not join the TPNW—both states in nuclear alliances (particularly NATO) and states that are not part of a nuclear alliance. The P5 (minus China) sent a strongly worded *démarche* to Norway in advance of the Oslo conference announcing that they opposed the conference and would not attend. Although several NATO members participated in the Open-Ended Working Group on Nuclear Disarmament in 2016, no NATO members except the Netherlands participated in the TPNW negotiations, due to heavy pressure from the United States. In the wake of the treaty’s adoption, the United States put significant pressure not only on its allies but on all states to not sign and ratify the TPNW. According to one observer, “there’s real neocolonialist bullying of other states to not join the treaty.”<sup>374</sup> Rather than ignoring the TPNW, nuclear weapon states invested significant diplomatic capital in opposing it and seeking to prevent other

---

<sup>372</sup> United States, United Kingdom, and France. 2017. Adoption of a Treaty Banning Nuclear Weapons. Joint Press Statement. July 7, 2017.

<sup>373</sup> Interview G-02. November 27, 2019.

<sup>374</sup> Interview C-03. November 7, 2019.

states from joining it. As the director of ICAN noted, “If this treaty was insignificant, if it didn’t mean anything, why were they fighting it? Why are they putting resources and time into stopping small Pacific Island countries from joining it? Because they know that every country that joins it is going to chip away at the legitimacy of nuclear weapons.”<sup>375</sup> In a further indicator of the extent to which the United States considered the TPNW a threat, in the leadup to the TPNW’s entry into force in January 2021, the United States (unsuccessfully) pressured all states that had ratified the treaty to withdraw from it.<sup>376</sup> Such a move was essentially unprecedented in multilateralism and international treaty politics, and further revealed the level of US concern over the treaty.

#### *Attempt to Reframe Issue*

In addition to rejecting the legitimacy of the TPNW, the P5 (and the United States in particular) sought to reframe the debate around nuclear weapons from focusing on the devastating effect of nuclear weapons to a question of whether the global security environment is conducive for disarmament. They critiqued TPNW supporters for ignoring the global security environment—in which, they argued, they needed nuclear weapons to guarantee their security. Instead, the P5 “want a world of great power competition and great power equilibrium as the basis for any discussion of peace and security.”<sup>377</sup> The P5 also claimed they were not opposed to disarmament, but to the TPNW’s supporters’ method of pursuing it. Instead of accepting the framing of small and medium states that focused on the destruction and harm caused by nuclear weapons, they attempted to reframe discussions around nuclear weapons to

---

<sup>375</sup> Fihn 2018.

<sup>376</sup> Edith Lederer. 2020. US Urges Countries To Withdraw From UN Nuke Ban Treaty. *Associated Press*. October 21, 2020.

<sup>377</sup> Interview G-16. February 27, 2020.

justify their continued possession of nuclear weapons. Immediately after the adoption of the treaty, the United States, United Kingdom, and France released a statement that

accession to the ban treaty is incompatible with the policy of nuclear deterrence, which has been essential to keeping the peace in Europe and North Asia for over 70 years. A purported ban on nuclear weapons that does not address the security concerns that continue to make nuclear deterrence necessary cannot result in the elimination of a single nuclear weapon and will not enhance any country's security, nor international peace and security.<sup>378</sup>

Moreover, according to a US government official, “Disarmament efforts that ignore the security dynamics of the real world in which actual countries make actual nuclear-related decisions [...] are approaches that are doomed to failure.”<sup>379</sup> The Russian response to the TPNW was strikingly similar: for Russia, the TPNW “feeds inflated expectations and creates an illusion that the issue of nuclear weapons could be settled while factors influencing strategic stability and basic principles of disarmament are being ignored.”<sup>380</sup> Yet although the P5 accused TPNW proponents of undermining global stability, at no point in the process did the treaty's supporters purport to be attempting to advance global stability. By attempting to reframe the discourse around nuclear weapons to focus on the global security environment and international stability, the P5 attempted to present themselves as ‘responsible’ stakeholders in global governance of nuclear weapons, in contrast to the ‘irresponsible’ TPNW supporters—a complete reversal of small and medium states’ efforts to paint nuclear weapons possessors as irresponsible.

To counter the TPNW and the framing of nuclear disarmament as a humanitarian issue, the United States established in 2017 a new dialogue to ‘Create

---

<sup>378</sup> United States, United Kingdom, and France 2017.

<sup>379</sup> United States. 2019. Our Vision for a Constructive, Collaborative Disarmament Discourse. March 26, 2019.

<sup>380</sup> Russian Federation. 2018. Statement by Mr. Vladimir I. Yermakov, Head of Delegation of the Russian Federation to the First Committee of the 73th UNGA session, Director of the Department for Nonproliferation and Arms Control of the Ministry of Foreign Affairs of the Russian Federation, within the General Debate. October 9, 2018.

the Environment for Nuclear Disarmament' (CEND); an attempt to reshape the narrative around nuclear disarmament to focus on the security environment that would be conducive to disarmament. Reframing the problem to be that the security environment is too dangerous for disarmament was an effort to shift attention away both from the humanitarian impacts of nuclear weapons and from nuclear weapon states' inaction. It also promoted the objectives that great powers seek through multilateral weapons governance: promoting stability among great powers and reducing the risks of or preventing the emergence of new threats. By working to 'create the environment' in which nuclear disarmament would even be possible, the United States (and the P5—all of which participated in this dialogue) attempted to regain control over multilateral governance of nuclear weapons, reassert their centrality in governance of nuclear issues, and sideline the TPNW, its objectives, and its supporters.

The United States argued that the TPNW's approach "revolves around stigmatizing and demonizing the security choices of deterrence-reliant countries — that is, precisely those whose cooperation is essential for genuine disarmament efforts to bear fruit." The CEND initiative sought to re-center the 'deterrence-reliant countries' (i.e. great powers and their allies) as the core decision-makers for nuclear disarmament. The TPNW, the nuclear norms it expresses, and the framing of nuclear weapons that surrounds it all posed a threat to P5, and in particular the United States' continued dominance in world politics. In response, the United States led the P5's rejection of and attempt to counter the TPNW.

#### *Acknowledgement of Treaty's Significance*

Yet as one diplomat noted, "The US effort to build a broader dialogue with the CEND means that they are worried and that they care. It comes at a high political price

not to care.”<sup>381</sup> According to another TPNW participant, the P5’s “opposition has become fiercer over time since the treaty was concluded: they’re realizing that having ignored it at the beginning gave life to the process. Now they criticize it constantly [...] The nuclear weapon states are trying to remain relevant.”<sup>382</sup> Instead of ignoring the treaty, the P5 (led by the United States) sought to reframe the debate around disarmament to delegitimize the objectives and approach of the TPNW, in order to prevent treat proponents from achieving their objectives.

However, even as they rejected the treaty, great powers acknowledged that it challenged their dominance over small and medium states. In response to the TPNW, Russia claimed that the treaty “contradicts the NPT and undermines the international nuclear non-proliferation regime. The TPNW provokes a sense of discord within the international community, distracting it from the real task of establishing the necessary conditions for continuing the process of nuclear disarmament.”<sup>383</sup> Yet by blaming the TPNW for divisions in the international community, they acknowledged that it had a significant effect on international relations.

Although nuclear weapon states are highly unlikely to sign or ratify the TPNW, their strong reaction to it signifies the treaty’s importance. They are concerned that it will lead to a normative shift around nuclear weapons, which could in turn limit their ability to employ those weapons for deterrence. The United States argued that the TPNW may “make the world a more dangerous and unstable place by seeking to delegitimize the ‘extended deterrence’ alliance relationships that the United States has with its allies in Europe and in the Asia-Pacific—relationships which for decades have contributed to international peace and security by deterring aggression by expansionist

---

<sup>381</sup> Interview G-04. December 4, 2019.

<sup>382</sup> Interview C-03. November 7, 2019.

<sup>383</sup> Russian Federation 2018.

powers.”<sup>384</sup> Were this to happen, it would indeed be a significant change in world politics and the nature of international relations. By arguing that the TPNW could have this meaningful effect, they inadvertently help legitimate it as an important development in weapons governance—even as they seek to delegitimize its purpose and methods.

Great powers opposed the TPNW because it directly challenged the legitimacy of their continued possession of nuclear weapons and their standing in world politics. In attempting to limit their vulnerability to great powers and exercise greater agency and influence in world politics, the small and medium states that advocated for the TPNW contested the dominance of the P5. Great powers recognized this and were determined to not let the treaty change relations between states.<sup>385</sup> Their opposition to the treaty was based on what it represented more broadly about international relations: as one diplomat reflected, “They [the P5] were never really engaged. It’s not about how the article on safeguards was drafted: it’s a much more fundamental issue. It’s not about the specific articles of the treaty. It’s a general position against this multilateral approach in which the whole community participates” and which empowered small and medium states.<sup>386</sup>

Yet by stridently opposing the treaty, great powers sent a signal that it is significant.<sup>387</sup> If the treaty would have no effect on them and their position in the world, they could have simply ignored it. Yet by attempting to discredit the treaty and prevent it from becoming a new norm, they drew further attention to it and raised its profile as something that was necessary for them to engage with. This signal in turn helped build support for the treaty, by demonstrating to small and medium states that

---

<sup>384</sup> Christopher Ford. 2017. Briefing on Nuclear Ban Treaty by NSC Senior Director Christopher Ford. Carnegie Endowment for International Peace. August 22, 2017.

<sup>385</sup> Interview I-04. November 29, 2019.

<sup>386</sup> Interview G-16. February 27, 2020.

<sup>387</sup> Interview C-01. October 10, 2019.

the treaty was affecting great powers and had the potential to transform relations among states. One diplomat described small and medium states' decision to attend the negotiations despite pressure from the P5 as "brave [...] it was worth the risks."<sup>388</sup>

### ***Not a Cooperation Challenge***

Issues related to the nature of the cooperation problem do not explain either why small and medium states pursued the TPNW or the form that the treaty took. Although the TPNW required nonnuclear weapon states to make few changes to their behavior—and thus, rationalist institutionalist explanations would expect that these states would be more likely to support it than states that bore a higher burden of adjustment<sup>389</sup>—the treaty lacked the participation of the states that would need to adjust their behavior. Therefore, the outcome should have been no treaty, rather than a treaty among small and medium states. Examining the type of cooperation problem states faced cannot explain why would states without nuclear weapons would make a treaty banning nuclear weapons when the states with nuclear weapons opposed it. Rational institutionalist explanations do not account for the existing of agreement among states that are primarily designed to affect the behavior not of participants, but of opponents of the agreement. Moreover, the treaty produces no gains in terms of efficiency or transaction costs. It does not reduce risk-based uncertainty about other states' behavior and it does not provide more information about other states' behavior.

Additionally, the (re)framing of nuclear weapons was a critical feature in building support for and reaching an agreement. It was not participants' risk-based uncertainty regarding others behavior, the state of the world, or others' preferences

---

<sup>388</sup> Interview G-04. December 4, 2019.

<sup>389</sup> E.g., Koremenos, Lipson, and Snidal 2001; Kreps 2018; Andrew Reddie. 2019. *Governing Insecurity: Institutional Design, Compliance, and Arms Control*. PhD Dissertation. Berkeley: University of California, Berkeley (although none specifically examine the TPNW).

(key features for institutional design expectations)<sup>390</sup> that led them to pursue the TPNW. Instead, it was their view of the world—of nuclear weapons and of relations among states—that motivated them to pursue the treaty. Both in statements delivered in the process leading to the treaty and in interviews, participants in the TPNW process were remarkably clear about their expectations regarding the nature of the problem, others' behavior, and the state of the world.

Rational choice explanations would also expect proponents to seek an agreement due to challenges regarding distribution and enforcement. However, nuclear weapon states' failure to make sufficient progress towards disarmament was not a cooperation problem, but a question of different objectives. Although there was a distribution problem (from the perspective of small and medium states), it was not the distribution of a particular material resource but of power in the international system broadly. In addition, small and medium states were remarkably unconcerned with enforcing disarmament or the abolition of nuclear weapons. As noted above, they saw the treaty's primary effect as stigmatizing nuclear weapons. This is inconsistent with a rational design explanation, which would anticipate that they would seek to enforce a prohibition on nuclear weapon.

Kreps, drawing on rational design scholarship, finds that agreements with lower levels of obligations on states are easier to conclude.<sup>391</sup> The TPNW places few obligations on most states, but significant obligations on nuclear weapon states. It is not clear how such an agreement would be coded in terms of level of obligation. Yet the TPNW specifically forbids reservations and is of unlimited duration, both of which Kreps uses as indicators of obligation. On these terms, the TPNW can be considered a high obligation agreement—and thus, according to rational design expectations, is

---

<sup>390</sup> Koremenos, Lipson, and Snidal 2001, 773.

<sup>391</sup> Kreps 2018.

unlikely to have been agreed. The (fairly rapid) conclusion of the TPNW indicates that it is not well-explained by rational design expectations.

Moreover, the TPNW was not an attempt to resolve a tradeoff between a need for transparency measures, including verification (due to uncertainty regarding other states' capabilities and intentions), and secrecy, as some rationalist approaches have characterized arms control.<sup>392</sup> Instead, small and medium states saw no need for either transparency or secrecy. As one participation in the negotiations argued, "Why should we figure out verification now for a situation twenty years in the future, when the technology will be totally different?"<sup>393</sup> Verification was not a pressing concern for TPNW supporters, but this was not because they were overwhelmingly concerned with preserving military secrets or because they could unilaterally verify compliance, as such rationalist approaches would expect. Instead, it was opponents of the TPNW who raised issues of how to verify disarmament and criticized the TPNW's supporters for not addressing these concerns.<sup>394</sup> Although small and medium states pursued the treaty to further their own interests, the content of those interests, the way they pursued their interests, and the content of the agreement cannot be explained by a rational intuitionist approach.

### ***The Non-Influence of Domestic Politics***

For nearly all countries, their attitudes towards the TPNW were driven by international relations, not domestic factors. Small and medium states' purpose in pursuing the treaty was rooted in the relationship between great powers and the rest in world politics. During the process leading to the treaty, small and medium states

---

<sup>392</sup> Coe and Vayman 2020.

<sup>393</sup> Interview I-06. March 10, 2020.

<sup>394</sup> E.g., Ford 2017; the Netherlands 2017; Wolfsthal 2017.

frequently cited how these issues were not new, but were longstanding problems.<sup>395</sup> One diplomat explained countries' stances in support of or in opposition to the TPNW as "they're not just policy positions that change with the government: for France, for Ireland, [for us] these are really fundamental positions that are really inherent to our national identity. It would be extremely unlikely for any government to change that."<sup>396</sup> According to a diplomat from another country, "disarmament is rooted in the DNA of [our] foreign policy. It doesn't matter what political party you talk about."<sup>397</sup> Many diplomats from various countries agreed stressed that changes in makeup of the domestic ruling coalition (e.g., from a conservative-led coalition to a progressive-led coalition) did not and would not alter their country's stance on the issue.<sup>398</sup>

Moreover, with the exception of NATO members, countries' stances were consistent with support for or opposition to other multilateral weapons governance initiatives led by small and medium states, such as the Mine Ban Treaty and the Cluster Munitions Convention. Yet even the variance in NATO members' stance on the TPNW—as compared onto other multilateral weapons governance agreements led by small and medium states—was due to role of nuclear weapons in their international alliance, rather than domestic politics. The TPNW also had support (and opposition) from both democratic and authoritarian governments: the differences between its supporters and opponents were based on international, rather than domestic factors. In addition, changes in governments between 2010-2017 did not produce radically different state positions towards the TPNW.

There was also little public awareness in most countries towards the treaty and the twenty-first century effort to ban nuclear weapons. Many diplomats emphasized

---

<sup>395</sup> E.g., Ireland 2016; Palau 2016.

<sup>396</sup> Interview G-19. December 9, 2020.

<sup>397</sup> Interview G-20. May 12, 2021.

<sup>398</sup> Interview G-13. February 18, 2020; Interview G-15. February 21, 2020; Interview G-16. February 27, 2020; Interview G-18, March 19, 2020.

that their public was not engaged in or even aware of the TPNW.<sup>399</sup> Civil society advocacy was also mainly targeted at diplomats, rather than building a grassroots movement targeted at national-level politicians. All of these elements indicate that domestic factors did not play a central role in states' engagement with the TPNW.

Norway is one prominent exception. The Norwegian government hosted the first conference on the humanitarian effects of nuclear weapons (the Oslo conference) and initially provided significant financial support for ICAN's advocacy. After the 2013 election brought a change in the governing coalition—from the center-left coalition of the Labour Party, Centre Party, and Socialist Left to the center-right coalition of the Conservative Party and the Progress Party—the new government withdrew from the TPNW process and stopped funding civil society organizations working on the humanitarian effects of nuclear weapons. Norway voted against the 2016 General Assembly resolution mandating the negotiation of a treaty prohibiting nuclear weapons and did not participate in the 2017 treaty negotiations.

Yet, notwithstanding Norway's role in starting the process, Norway's decision to withdraw from a leadership role in the TPNW process did not have a decisive impact on the process or on other states' decisions. Other small and medium states carried forward the initiative. Moreover, while the Oslo conference was important in developing an impetus for the TPNW, the argument that the TPNW would not have happened without Norway is dubious. As discussed above, many small and medium states were increasingly frustrated with the status quo on nuclear disarmament and the recognition of the 'catastrophic humanitarian consequences of nuclear weapons' at the 2010 NPT Review Conference provided a focal point for small and medium states to reframe the issue.

---

<sup>399</sup> Interview G-07. December 17, 2019; Interview G-09. January 23, 2020; Interview G-15. February 21, 2020; Interview G-19. December 9, 2020

The Netherlands is the other prominent exception where domestic politics appeared to be salient. They were the only NATO member to attend the negotiations, and did so only due to domestic pressure: the Dutch parliament passed a motion urging the government to attend negotiations. Yet the Netherlands ultimately voted against adopting the treaty (the only state to do so). Thus, although the Netherlands attendance can be attributed to domestic politics, this did not substantively change the government's position towards the treaty. The Dutch explanation of vote at the conclusion of treaty negotiations referenced the treaty's relationship to factors in the international security environment as to why it could not vote in favor of adopting the treaty. Specifically, the Dutch view was that the TPNW undermined the NPT, was incompatible with NATO policy, lacked commitments to international security and stability, and was unverifiable.<sup>400</sup> These factors were not rooted in domestic politics but in the international system. Instead of domestic politics playing a decisive role in most countries' positions towards the TPNW and the outcome of the treaty, it is striking how little domestic politics—either in the form of changes in government or in the form of governments' concerns about citizens' preferences leading to changes in countries' positions on the TPNW—mattered for the TPNW.

Domestic politics may matter more for the TPNW's future trajectory, especially in nonnuclear NATO states: changes in governments in Norway and Germany led both of these countries to announce in December 2021 that they will join the first TPNW meeting of states parties in 2022 as observers. This shift indicates a greater openness to the TPNW, an effort to engage constructively, and lends strength to the proponents' norm-building aspirations. However, it should not be interpreted as a clear signal that Norway and Germany are likely to join the TPNW: Israel, for example, participates as an observer in NPT meetings but has long made clear that it

---

<sup>400</sup> the Netherlands 2017.

will never join the NPT. Nonetheless, these developments suggest that although domestic politics did not motivate small and medium states to pursue the TPNW nor did they significantly affect the process of pursuing the treaty, they may shape states' subsequent engagement with the treaty, the development of norms stigmatizing great powers' nuclear weapons, and ultimately, the TPNW's effectiveness in advancing proponents' objectives.

### ***Conclusion***

In examining the process leading to and the outcome of the TPNW, I find strong support for the theoretical expectations in Chapter 2 regarding the purpose for which small and medium states pursued the treaty, the process via which they pursued it, and the outcome of the negotiations. They pursued the TPNW due to concerns regarding their vulnerability both to nuclear weapons and to great powers' dominance in nuclear institutions, but they also pursued it to exercise agency and influence, both regarding nuclear weapons specifically and international relations more broadly. By maintaining framing nuclear weapons in terms of their humanitarian effects, building support among a mass of small and medium states, and making decisions by majority vote during negotiations, small and medium states were able to create an agreement that reflected and advanced their objectives. I also find that great powers recognized small and medium states' objectives in the TPNW and opposed it because it challenged their dominance and attempted to transform (hierarchical) relations in world politics. In addition, this chapter demonstrates that the TPNW was not a rational design solution to a cooperation challenge, nor was it driven by domestic politics in particular countries.

Other accounts of the TPNW also highlight how proponents' goals extended beyond the specific issue of nuclear disarmament. Those written by activists often

provide important insights regarding how civil society activism around the TPNW can be contextualized within a broader history of anti-nuclear activism, but frequently underappreciate the factors that led states to pursue the treaty or small and medium states' agency in pursuing the treaty.<sup>401</sup> Other accounts emphasize the TPNW as an act of resistance to the nuclear hierarchy, but are less clear on what exactly TPNW proponents wanted instead of the status quo.<sup>402</sup> This chapter advances an understanding why small and medium *states* pursued the treaty, and what they (positively) sought, rather than only what they (negatively) fought against. This chapter also complements primarily descriptive accounts of the process leading to the TPNW by examining this process within a broader theoretical framework, thereby clarifying the implications of the various nuances in descriptive accounts.<sup>403</sup>

This chapter also shows how during the process leading to the TPNW, small and medium states emphasized the similarities between their effort to ban nuclear weapons and previous multilateral weapons governance initiatives led by small and medium states, including the Mine Ban Treaty, the Cluster Munitions Convention, and the various nuclear weapons free zones. Although each initiative was unique, they all were led by small and medium states exercising agency and influence, sought to change the behavior of great powers, and were driven by concerns regarding states' vulnerability to the effects of weapons. The TPNW is not an aberration, but was the latest effort by small and medium states to govern weapons and change relations

---

<sup>401</sup> E.g., Ray Acheson. 2021. *Banning the Bomb: Smashing the Patriarchy*. New York: Rowman & Littlefield; Matthew Breay Bolton, Beatrice Fihn, and Elizabeth Minor. 2017. How We Persuaded 122 Countries to Ban Nuclear Weapons. *Just Security* October 24, 2017.

<https://www.justsecurity.org/46249/persuaded-122-countries-ban-nuclear-weapons/>

<sup>402</sup> Nick Ritchie and Kjølvs Egeland. 2018. The Diplomacy of Resistance: Power, Hegemony and Nuclear Disarmament. *Global Change, Peace & Security* 30(2): 121-141; Kjølvs Egeland. 2018. Banning the Bomb: Inconsequential Posturing or Meaningful Stigmatization? *Global Governance* 24(1): 11-20; Nick Ritchie. 2019. A hegemonic nuclear order: Understanding the Ban Treaty and the power politics of nuclear weapons. *Contemporary Security Policy* 40(4): 409-434.

<sup>403</sup> E.g., Gibbons 2018; Alexander Kmentt. 2021. *The Treaty Prohibiting Nuclear Weapons: How It Was Achieved and Why It Matters*. London: Routledge.

among states. Understanding the TPNW as an instance of multilateral weapons governance like the Mine Ban Treaty and Cluster Munitions Convention, rather than only comparing it to other agreements governing nuclear weapons, also highlights how weapons governance led by small and medium states may not be initially successful in eliminating particular weapons, but provides a strong foundation for the development of new norms that, over time, advance proponents' objectives. At the same time, this chapter explains why and how small and medium states pursued the TPNW despite their clear awareness that great powers would oppose it and would be extremely unlikely to join. In doing so, this chapter underscores why and how multilateral weapons governance by small and medium states does not require the participation, support, or consent of great powers in order for proponents to view these initiatives as meaningful in reshaping international relations.



## CHAPTER 6

### A TUG OF WAR OVER CONVENTIONAL WEAPONS

#### *Introduction*

The 1980 Convention on Certain Conventional Weapons (CCW) rarely receives the attention of other multilateral weapons governance agreement. Most often, it is treated as an example of a failure whose shortcomings pushed small and medium states to pursue the 1997 Mine Ban Treaty and 2008 Cluster Munitions Convention.<sup>404</sup> Yet the CCW was a milestone in bringing humanitarian concerns into multilateral weapons governance and developing rules regulating the use of specific weapons in war, as opposed to general rules for the conduct of warfare. In this chapter, I examine why and how both great powers and small/medium states pursued an agreement to govern certain conventional weapons. Whereas Chapters 4 and 5 each assess a case in which only one category of states led the initiative, more closely resembling ideal types of leadership by great powers and by small/medium states, this chapter assesses multilateral weapons governance in a middle case. In this chapter, I evaluate what happens when both great power and small/medium states seek to regulate a type of weapon, and the extent to which both the objectives they pursue and the process leading to the agreement reflect the theory developed in Chapter 2.

This chapter draws on archival sources from US, ICRC, and UN archives, as well as accounts written by participants in the CCW negotiations. I find strong evidence for the theoretical explanations advanced in Chapter 2, namely that small and medium states pursued the CCW to reduce their vulnerability to great powers and to exercise increased agency and influence. At the same time, although existing scholarship on the CCW has focused on the advocacy of small and medium states, I

---

<sup>404</sup> E.g., Cottrell 2014, Chapter 4. See also Petrova 2016.

also find that great powers were also highly motivated to negotiate the agreement. They did so to create an agreement that blocked small and medium states' objectives and instead preserved their status quo dominance in the face of potential shifts in the future. However, I do not find strong support that they pursued the CCW out of concern regarding small and medium states using certain conventional weapons to challenge great powers' military dominance.

The process leading to the agreement was highly contentious, and characterized by intense disagreement between great powers and small/medium states over the scope, content, and form of governance. Both types of states actively sought to reframe conventional weapons in ways that advanced their objectives, and used different strategies to build support for an agreement that reflected those objectives. The ways in which they did so are consistent with and support the theoretical expectations developed in Chapter 2. In addition, disagreements over the institutional format and rules for negotiations also reflected these theoretical expectations regarding how each category of states pursues multilateral weapons governance. Ultimately, great powers succeeded in delivering an agreement that preserved their freedom of action while making new rules to protect civilians in conflict areas. Small and medium states succeeded only in creating rules for specific weapons that singled out these weapons for their potential to be particularly destructive.

### ***Background: The Growing Use of Certain Conventional Weapons***

The CCW takes the unusual form of a framework convention: it contains an overall framework with preambulatory language and rules for the Convention's operations (but which does not address any specific weapons), to which three original

protocols are attached.<sup>405</sup> These protocols 1) ban the use of weapons whose primary effect is to injure by fragments that cannot be detected via x-rays; 2) restrict the use of mines, booby-traps, and other related devices in civilian areas; and 3) restrict the use of incendiary weapons (e.g., flamethrowers or napalm) in civilian areas. To join the CCW, states must ratify at least two protocols, but are not required to ratify all of them.

The process leading to the CCW began as an extension of negotiations on the Additional Protocols to the Geneva Conventions, which lay out rules for the conduct of warfare.<sup>406</sup> The Additional Protocols were adopted in 1977, but as early as 1971, participations in these negotiations started to argue for the need to regulate not only state behavior in the conduct of war, but the weapons involved in war too.<sup>407</sup> They were spurred to do so by the suffering produced by a number of conflicts in the 1950s-1970s—most prominently the Vietnam War, but also the Korean War, civil war in Nigeria, Arab-Israeli conflicts, and conflict in Cyprus.<sup>408</sup> These conflicts were largely local or regional in nature, but were brutal for civilians and combatants alike.

Although the process to govern certain conventional weapons did not begin in earnest until the 1970s, as early as 1956, the International Committee of the Red Cross (ICRC) expressed concerns regarding the unrestricted use of “weapons with uncontrollable effects” in conflict.<sup>409</sup> The ICRC later convened a meeting of government experts on “weapons that may cause unnecessary suffering or have indiscriminate effects” in 1973. Governments began seriously considering restrictions

---

<sup>405</sup> Two further protocols banning lasers intended to blind and regulating “explosive remnants of war” were added in 1995 and 2003, respectively, but are not the focus of this chapter.

<sup>406</sup> For a history of the process leading to the Additional Protocols, see Mantilla 2020.

<sup>407</sup> Unlike the Additional Protocols, which are concerned with the treatment of civilians and combatants in war regardless of which weapons are used, the CCW process focused on regulating specific weapons.

<sup>408</sup> R. R. Baxter. 1977. Conventional Weapons under Legal Prohibitions. *International Security* 1(3): 42–61, 45.

<sup>409</sup> International Committee of the Red Cross. 1956. *Draft Rules for the Limitation of the Dangers Incurred by the Civilian Population in Time of War*. Geneva.

on such weapons in 1974, when they formed the Ad-Hoc Committee on Conventional Weapons to examine which weapons should be regulated and how they should be regulated. The Ad-Hoc Committee met for four sessions between 1974 and 1977. To support these efforts to understand the extent and nature of the destructiveness and suffering caused by certain conventional weapons, the ICRC convened two conferences for government experts in 1974 (the Lucerne conference) and 1976 (the Lugano conference). Although these conferences did not have a mandate to negotiate an agreement, participants were government-designated experts who represented their country's position and the conferences provided an important venue for laying out countries' positions on potential regulation and framing these weapons in ways that built support for different states' goals.

These conferences and the Ad-Hoc Committee considered not only the weapons ultimately addressed in the 1980 text of the CCW, but other weapons as well, including fragmentation and blast weapons (e.g., flechettes and cluster munitions), small-calibre bullets,<sup>410</sup> fuel-air explosives, and future weapons.<sup>411</sup> After a 1977 resolution from the Diplomatic Conference on Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflict (which was principally occupied with negotiating the Additional Protocols to the Geneva Conventions) mandated negotiations for the prohibition or restriction of use of certain conventional weapons, formal negotiations for the CCW subsequently took place over two sessions in 1979 and 1980. The text of the treaty was agreed on October 10, 1980 and the CCW entered into force on December 2, 1983.

---

<sup>410</sup> I follow official documents associated with CCW in using the British spelling (calibre) rather than the American spelling (caliber) for this term.

<sup>411</sup> E.g., blinding lasers (which were later addressed by the CCW in 1995), microwave and infrasound devices, and electronic warfare. These were not generally discussed with regard to specific anticipated weapons, but concerns that future weapons could have unknown properties that would be indiscriminate or cause unnecessary suffering.

### *The Purpose of Regulating Conventional Weapons*

As elaborated in Chapter 2, I expect that great powers pursued the CCW to maintain and preserve their status quo dominance in world politics, while small and medium states pursued it to reduce their vulnerability to great powers and to increase their agency and influence. To evaluate these expectations, I analyze how both types of states assessed the problem posed by certain conventional weapons and how they considered various options for governance. I examine whether great powers were concerned about future shifts in capabilities and/or their own future limitations. I also consider whether they were concerned about actors acquiring new weapons and/or the future intentions and capabilities of other actors, and whether they sought a multilateral agreement to provide increased information about such intentions and capabilities. In addition, I assess whether small and medium states were concerned about their vulnerability to great powers' possession and/or use of these weapons, as well as great powers' dominance in multilateral rule-making. I also assess whether they viewed governing certain conventional weapons as a way to increase their agency and influence in international relations.

All states that participated in the negotiations emphasized the need to minimize harm to civilians from weapons. There was no disagreement over this objective.<sup>412</sup> Based on the 1868 Declaration of St. Petersburg, the 1907 Hague Convention, and the rules developed that would in 1977 become Additional Protocol I to the Geneva Conventions, participants largely agreed that tools of war should not cause unnecessary suffering or superfluous injury, and should not be indiscriminate (i.e., should be capable of distinguishing between civilians and combatants; targets and non-targets).

---

<sup>412</sup> W. Hays Parks. 1990. The Protocol on Incendiary Weapons. *International Review of the Red Cross* 279: 535-550, 538. See also United States. A.CICR.B.AG.059-331. October 17, 1974.

Yet even if states agreed on these criteria in the abstract, operationalizing them to develop rules regulating weapons proved exceedingly difficult. The CCW negotiations took many years, were often characterized by bitter disagreements, and ultimately, many states were deeply disappointed by what the CCW achieved. States disagreed regarding how to protect civilians from harm, which weapons had these effects (and to what extent), and the degree to which military objectives could be compromised in service of minimizing harm caused by various weapons. In particular, great powers stressed that these humanitarian criteria needed to be balanced against military requirements. As one participant later recounted, “the Conference proceedings consisted of a prolonged struggle between the prohibitionists, who perceived the position of the militarily developed and conservative States to be an unreasonable one, and attempts by the more militarily developed States to justify their position and to demonstrate that the position of the prohibitionists was essentially idealistic and unrealistic.”<sup>413</sup> These disagreements reflected broader differences between great powers and small/medium states over the implications of regulating or banning certain weapons for geopolitical relations among states.

#### *Small and Medium States’ Purpose*

Small and medium states pursued the CCW both to reduce their vulnerability to great powers and to increase their agency and influence in world politics. They emphasized the need to regulate and especially, to ban, weapons not only to reduce the suffering of civilians, but also to reduce the vulnerability of relatively weak states vis-à-vis military powers. They contrasted great powers’ military superiority to their own vulnerability and the need to develop rules to restrict this asymmetry. According to

---

<sup>413</sup> W. J. Fenrick. 1990. The Conventional Weapons Convention: A Modest but Useful Treaty. *International Review of the Red Cross*. 279: 498-509, 502.

Norway, “inequalities in the technological development of countries had led to technologically more advanced states seizing the opportunity of using the whole range of conventional weapons and resorting to terrorization of the civilian population and prevent them from supporting their own military forces. Superiority in the air had increased the temptation to use unnecessarily cruel or indiscriminate weapons.”<sup>414</sup>

More broadly, as one participant summarized the early meetings,

The debate turned out to be in large measure one between the ‘haves’ and the ‘have-nots.’ The developing countries resented the technological superiority of the major military powers and of other developed countries, and it was even suggested that the imbalance between the two types of states should be redressed by placing restrictions on the types of weapons that might be employed by developed countries in conflicts with developing countries.<sup>415</sup>

In seeking to reduce their vulnerability to great powers, small and medium states were concerned with unnecessary suffering not just of civilians, but also of combatants. Addressing these concerns would reduce asymmetries between their own militaries and those of great powers. For many small and medium states, focusing only on restrictions for weapons use against civilian populations was wholly insufficient because it did not address their military and political vulnerability vis-à-vis great powers.<sup>416</sup> However, small and medium states focused on weapons that were primarily used by great powers, and which they did not consider essential to their own national defense: for example, although Sweden was one of the greatest proponents of expansive bans on the use of certain conventional weapons, a joint proposal (introduced by Sweden) on regulating incendiary weapons did not cover anti-armor munitions, “something Sweden would have wanted in order to defend itself against an armored attack.”<sup>417</sup>

---

<sup>414</sup> Norway. CDDH/IV/SR.1. March 13, 1974.

<sup>415</sup> Baxter 1977, 51.

<sup>416</sup> E.g., Egypt. A/CONF.95/SR.6. September 14, 1979; Switzerland. CDDH/IV/SR.42. May 24, 1977.

<sup>417</sup> Eric Prokosch. 2021. *The Development of the Convention on Conventional Weapons, 1971-2003. Article 36*, 6.

Small and medium states also underscored both the military and political nature of their vulnerability, and the need to regulate and/or ban weapons in order to address both aspects of this vulnerability. For example, the delegate from Ghana phrased arguments for banning incendiary weapons in terms of (asymmetric) geopolitical relations among states, arguing for the need to “ensure the protection of the peoples of the Third World, who had suffered the most from the conflicts since the end of the Second World War.”<sup>418</sup> Claiming that “most of the conventional weapons used in those wars had not been produced in the developing countries which were merely the consumers,” he argued that the production of these weapons (in developed countries and especially in great powers) needed to be banned.<sup>419</sup> Likewise, the delegate from Nigeria emphasized “the concern of developing countries about incendiary weapons: in Africa, people had suffered from their indiscriminate and harmful effects in the course of the struggle for independence,” linking the need to control these weapons to the political struggle for independence from colonial powers.<sup>420</sup>

Moreover, in articulating the need to regulate the use of certain conventional weapons, small and medium states emphasized the destruction caused by the US military in Vietnam as evidence of their own vulnerability to great powers’ use of certain conventional weapons. This led to an early initiative from small and medium states in the UN General Assembly in 1971 requesting the UN Secretary-General to prepare a report on the effects of napalm and other incendiary weapons. During negotiations throughout the 1970s, small and medium states’ focus on the US military’s use of conventional weapons in the Vietnam War also forced the United

---

<sup>418</sup> Ghana. A/CONF.95/CW/SR.13. October 1979

<sup>419</sup> Ghana. A/CONF.95/PREP.CONF./I/SR.8. September 1978

<sup>420</sup> Nigeria. A/CONF.95/CW/SR.15. October 21, 1980.

States to “expen[d] substantial resources responding” to these critiques.<sup>421</sup> Although napalm received the bulk of the attention, small and medium states also sought to prohibit the use of other weapons specifically used by the United States in the Vietnam War, including flechettes, small-calibre bullets, and cluster munitions.

In addition, small and medium states, including the Non-Aligned Movement (NAM)—a political grouping of states that did not align with either the East or West in the Cold War and which included many newly independent states—pushed for new rules governing weapons in order to exercise international agency and influence in world politics.<sup>422</sup> In advocating for new law regulating destructive weapons (especially incendiary weapons, which were used in the Vietnam War and by colonial powers in wars of independence), the NAM sought to make new rules governing world politics and, in particular, the behavior of great powers. The NAM’s push for rules regarding the use of certain conventional weapons was also deeply linked to the fact that many of its members had recently been involved in wars of decolonization. They sought both to limit the suffering caused by such wars and, as newly independent states, to exercise greater agency: “the NAM’s position was that disarmament was not a game for the superpowers, but rather an issue about which all nations had a stake.”<sup>423</sup> Due to the relationship between great powers’ military dominance and their social dominance in international rulemaking, multilateral weapons governance (of both nuclear and non-nuclear weapons) was a key element of the NAM’s efforts to exercise greater agency in world politics.

---

<sup>421</sup> USA. Department of Defense Working Group on Incendiary Weapons. DoD Incendiaries Study. C05429743 (no date but likely early 1980).

<sup>422</sup> Carvin draws a similar conclusion. Stephanie Carvin. 2017. Conventional Thinking? The 1980 Convention on Certain Conventional Weapons and the Politics of Legal Restraints on Weapons during the Cold War. *Journal of Cold War Studies* 19(1): 38-69, 44.

<sup>423</sup> Treasa Dunworth. 2019. The Cold War History of the Landmines Convention. In Matthew Craven, Sundhya Pahuja, and Gerry Simpson, eds. *International Law and the Cold War*. Cambridge: Cambridge University Press. 315–336, 324-325.

In a similar vein, Mexico stressed the importance of “strengthening the legal rules and international mechanisms for the peaceful settlement of disputes within the framework of an international order based on justice.”<sup>424</sup> The Mexican delegation argued that small and medium states had a special role to play in making these rules because “conventional weapons were primarily of interest to developing countries, since those countries were the first to suffer their effects.”<sup>425</sup> Likewise, Cuba argued that if the “objectives of the Conference were to be achieved, the major military Powers must not be left with absolute responsibility for disarmament. On the contrary, all countries should participate in that effort, in particular, the developing countries which, paradoxically, had been the main victims of the use of conventional weapons.”<sup>426</sup> US internal assessments of other states’ objectives in the CCW underscore small and medium states’ efforts to gain greater agency and influence in world politics through the negotiations, emphasizing the political nature of these objectives.<sup>427</sup> US documents refer to Mexico as “us[ing] the forum for political purposes seeking to be the leader of the group by tabling numerous idealistic proposals,” while Venezuela “indicates a desire for a major role attaining respect through independent stance yet [with] group support.”<sup>428</sup> Small and medium states saw the CCW as an opportunity to make rules for relations among states, and rejected the idea that rules for the use of weapons should be made by great powers alone.

### *Great Powers’ Purpose*

In pursuing multilateral rules regulating certain conventional weapons, great powers were largely focused on restricting other actors’ ‘irresponsible’ use of various

---

<sup>424</sup> Mexico. A/CONF.95/SR.6. September 14, 1979.

<sup>425</sup> Ibid.

<sup>426</sup> Cuba. A/CONF.95/SR.6. September 14, 1979.

<sup>427</sup> USA. DoD Incendiaries study.

<sup>428</sup> USA. Selected Observations on UN Members’ Participation. labeled C0548272, no date.

weapons against civilians, while blocking small and medium states' efforts to create bans on weapons that would require great powers to change their behavior and which would undermine their status quo dominance.<sup>429</sup> They did not pursue multilateral weapons governance out of concern that small and medium states' development and use of these weapons posed an imminent threat to their status quo dominance. Instead, great powers sought to make rules for conventional weapons to sustain the status quo in the face of efforts by small and medium states to change it through weapons governance. When confronted with small and medium states' efforts to prohibit specific types of weapons, great powers responded by proposing regulations (not prohibitions) that preserved a wide latitude for the use of certain conventional weapons. As discussed in the next section, they argued that the main challenge with conventional weapons was how they were used, not inherent characteristics of the weapons.

In doing so, great powers often advocated for regulations that would essentially universalized commitments they had already made at the national level or in previous international agreements. The United States, for example, suggested that rather than making international rules for specific weapons, countries should conduct national reviews of new weapons they were considering developing or acquiring, to make sure that new weapons would be compatible with international humanitarian obligations—a procedure that was already part of US policy.<sup>430</sup> The Soviet Union, meanwhile, argued that in developing legal criteria for governing certain conventional weapons, countries “must avoid illusions and utopianism; to propose such criteria for the prohibition or restriction of blast and fragmentation weapons would be unrealistic,

---

<sup>429</sup> China attended some of the CCW conferences and negotiations, but rarely spoke and did not participate substantively. As in Chapter 4, China was not a clear great power during this time period and often portrayed itself in multilateral fora as a champion of developing countries.

<sup>430</sup> USA. CDDH/IV/SR.33. June 2, 1976.

since such weapons constituted the essential conventional armament of the armies of the majority of countries” and called for the use of criteria already established in the 1908 Hague Conventions and other widely accepted provisions of international law, instead of developing new criteria.<sup>431</sup> Further illustrating this approach, in response to a British proposal for prohibiting the use of certain weapons against civilian populations, the Swedish representative noted that “he was bound to point out that it was already forbidden to use any weapon whatsoever against civilian populations.”<sup>432</sup>

These proposals sought to preserve great powers’ ability to use the weapons of their choice, maintaining their status quo dominance. They sought to provide increased protection for civilians, while allowing their militaries maximum flexibility in their choice of weapons. The United Kingdom for example, warned that “a detailed prohibition on a specific weapon which is militarily effective may well challenge technologists to devise a weapon having the same effect but whose characteristics are not caught by the prohibition.”<sup>433</sup> As another participant in the negotiations later acknowledged, “for a wealthy superpower like the United States, the inclination was to retain any weapon that could help in maintaining military superiority over other countries.”<sup>434</sup> In making rules for governing certain conventional weapons that preserved and reinforced military dominance, great powers also sought sustain the social dominance in international rule-making that these weapons afforded them. Great powers’ efforts to limit the scope of governance so as to preserve their dominance did not go unnoticed by small and medium states. For example, the delegate of Kuwait expressed his fear that “the great Powers attached so much

---

<sup>431</sup> USSR. CDDH/IV/SR.19. March 21, 1975.

<sup>432</sup> Sweden. CDDH/IV/SR.14. March 5, 1975.

<sup>433</sup> UK. Paper by Colonel Sir David Hughes-Morgan. A.CICR.B.AG.059-378.02. September 24, 1974.

<sup>434</sup> Prokosch 2021, 6.

importance to such weapons as a symbol of their strength that they would hesitate to join in any effort to prohibit or restrict them.”<sup>435</sup>

Equally important, great powers used these negotiations to forestall attempts by small and medium states to challenge their status quo dominance. One US negotiator later explained that the United States participated in the negotiations “because of the concern that certain other countries might succeed in developing broad support for prohibitions and restrictions inimical to United States security interests. The United States ultimately participated fully in the weapons negotiations with a view to shaping the results.”<sup>436</sup> Although the Soviet Union did not submit joint proposals with the United States (or with the United Kingdom and France), great powers were aligned in their objectives; both in terms of what to include in regulating certain conventional weapons and what to exclude. As a former US negotiator noted, “Itself a power of high military technology, the Soviet Union could not welcome placing restraints on weapons.”<sup>437</sup> Moreover, indicating the importance of preserving status quo relations among states, the Soviet Union made clear that it would compromise with small and medium states only if the United States did as well.<sup>438</sup>

Although great powers sought an agreement that would decrease unnecessary suffering and superfluous injury, they operationalized these principles differently than small and medium states. For great powers, these principles were subservient to the principle of military necessity.<sup>439</sup> This arrangement preserved their status quo dominance. In contrast, small and medium states aiming to reduce their vulnerability to great powers sought a compromise between humanitarian principles and the

---

<sup>435</sup> Kuwait. CDDH/IV/SR.15.March 7, 1975.

<sup>436</sup> J. Ashley Roach. 1984. Certain Conventional Weapons Convention: Arms Control or Humanitarian Law? *Military Law Review* 105: 3-72, 4.

<sup>437</sup> Baxter 1977, 51.

<sup>438</sup> Fenrick 1990, 502.

<sup>439</sup> E.g., USA. Statement on Legal Criteria. A.CICR.B.AG.059-329. September 25, 1974

principle of military necessity. Whereas other scholars have claimed that great powers opposed the CCW and were only interested in blocking it,<sup>440</sup> I find evidence that the United States and United Kingdom were concerned by civilian suffering during conflict, but largely viewed the problem as insufficient application of existing law to protect civilians, rather than a lack of rules for weapons use in warfare.<sup>441</sup> Likewise, the Soviet Union emphasized the need to draw on and apply criteria already present in existing law, rather than developing new criteria.<sup>442</sup> More broadly, great powers' opposition to the specific rules and regulating advanced by small and medium states did not mean that they were disinterested in governing certain conventional weapons. Instead, they sought distinctly different regulations than small and medium states: they sought regulations that would preserve their ability to use the weapons of their choice, enable them flexibility in their ongoing and future military operations, and perpetuate their status quo dominance.

In these negotiations, great powers were not primarily seeking to gain more information about other states' activities. Lack of knowledge regarding other states' development and/or use of certain conventional weapons was not a concern for great powers in this context. Despite the widespread use of incendiary weapons, landmines, and other weapons under consideration—and their own interest in continuing to use these weapons—they were not worried by information asymmetries and the potential for miscalculation related to these weapons. While militarily useful, these conventional weapons were not transformative in the way nuclear weapons were, and an additional state's use of landmines did not pose a serious threat to great powers' continued dominance. As a result, great powers did not perceive a need for information-sharing regarding other states' developing and use of certain conventional

---

<sup>440</sup> E.g., Cottrell 2014, 100; Carvin 2017; Mantilla 2022.

<sup>441</sup> USA. CO/LU/25.9.1974. A.CICR.B.AG.059-334. September 25, 1974.

<sup>442</sup> USSR. CO/LU/26.9.1974. A.CICR.B.AG.059-334. September 26, 1974.

weapons. Instead, whether out of a genuine concern for civilian suffering or a concern regarding reputational consequences for causing unnecessary suffering to civilians, great powers supported developing multilateral rules for protecting civilians in conflict. Unlike small and medium states, however, they sought to preserve their ability to use these weapons to maintain their status quo dominance.

### *The Process of Creating an Agreement*

Chapter 2 expects that both great powers and small/medium states sought to create an agreement that both reflects and advances their objectives. In this section, I examine whether each group of states a) framed weapons in ways that legitimized their objectives and delegitimize others', b) worked to build multilateral support for their initiative (for great powers, by building support among allies and key stakeholders, while for small/medium states, by amassing support among a large number of states), and c) sought to establish an institutional format for negotiations that facilitated their ability to control the outcome of negotiations. I also examine how both types of states' efforts in these three parts of the process correspond to their purpose in pursuing multilateral weapons governance.

### *Framing and Reframing Conventional Weapons*

Great power and small/medium states framed the problems associated with certain conventional weapons in distinctly different ways, reflecting their purpose in pursuing the agreement. Great powers framed the problem as one of how weapons were used, rather than inherent characteristics of the weapons. This framing made acceptable great powers' possession and potential use of various weapons in question, preserving their freedom of action, while locating blame in others' use of these weapons. The United Kingdom, for example, argued that two combatants could use

the same weapon with one discriminating between targets and non-targets and the other using it indiscriminately, and thus states should prohibit certain methods of using weapons rather than prohibiting specific weapons.<sup>443</sup> The United States meanwhile contended that “virtually any weapon can be used indiscriminately, and even weapons of mass destruction can be used discriminately in certain circumstances.”<sup>444</sup> The Soviet Union similarly claimed that the greatest danger was from the method of use of certain weapons, not the features of the weapons themselves.<sup>445</sup> Likewise, France emphasized that “indiscriminateness lay much more in the use made of a weapon and in the brain of the commanding officer than in the weapon itself” and that incendiary weapons were often useful and sometimes even indispensable.<sup>446</sup>

Moreover, with regard to specific weapons under discussion, the United States repeatedly argued that in many circumstances, using incendiary weapons like napalm was more humane than alternative weapons and that banning incendiary weapons would result in the use of other weapons that would cause more suffering and casualties, not less.<sup>447</sup> The United Kingdom even suggested that “those who advocate for a general ban [...] may not really be serving those humanitarian ends which lead them to that conclusion.”<sup>448</sup> By suggesting that banning various weapons would lead to even more suffering, they framed the problem as certain actors’ use of the weapons rather than features of the weapons. These arguments served to legitimize great powers’ possession and use of all potential weapons, so long as they were not

---

<sup>443</sup> UK. CO/LU/26.9.1974. A.CICR.B.AG.059-334. September 26, 1974.

<sup>444</sup> George Aldrich. 1973. Human Rights and Armed Conflict: Conflicting Views. *American Journal of International Law* 67(5): 141-149.

<sup>445</sup> USSR. CO/LU/26.9.1974. A.CICR.B.AG.059-334. September 26, 1974.

<sup>446</sup> France. CDDH/IV/SR.15. March 7, 1975; France. CO/LU/30.9.1974. A.CICR.B.AG.059-334. September 30, 1974.

<sup>447</sup> USA. CDDH/IV/SR.26. May 18, 1976; USA. CDDH/IV/SR.27. May 19, 1976; USA. A/CONF.95/PREP.CONF./I/SR.15. September 1978; USA. A/CONF.95/PREP.CONF./II/SR.28. April 1979.

<sup>448</sup> UK. A.CICR.B.AG.059-329. October 2, 1974.

targeting civilians. In doing so, they also served to delegitimize small and medium states' efforts to restrict great powers' possession and use of these weapons.

In addition, great powers pushed back on small and medium states' efforts to fully ban certain weapons by questioning and undermining the technical basis of arguments made by states like Sweden, Switzerland, Egypt, Yugoslavia, and Mexico for banning these weapons. They contended that establishing thresholds for unnecessary suffering caused by weapons was nearly impossible and potentially misleading, as suffering depended on the specific context in which a weapon was used.<sup>449</sup> In many cases, great powers framed small and medium states' arguments for prohibiting the use of certain weapons as irresponsible "emotional prejudice" lacking a factual basis.<sup>450</sup> The United States, for example, cautioned against "speculation and extrapolation" in assessing the effects of weapons and claimed that "the proposal submitted by Sweden and Mexico on small calibre weapons systems was simplistic and technically deficient."<sup>451</sup> The United Kingdom, meanwhile, argued that "to advance the same rationale for banning the use of modern small calibre high-velocity bullets as that put forward for prohibiting dum-dum bullets [in 1899] was misleading and appealed to the emotions rather than to reason, thus preventing a clear view of the problem."<sup>452</sup> The United States, moreover, declared that it would "not be prepared to place matters important to [its own] national security in the hands of those who seemed so certain of the results beforehand, regardless of whatever facts might emerge" and accused small and medium states of attempting to "legislate prejudices into law."<sup>453</sup>

---

<sup>449</sup> USA. CDDH/IV/SR.40. May 19, 1977; UK. CDDH/IV/SR.12. February 26, 1975; USSR. CDDH/IV/SR.14. March 5, 1975.

<sup>450</sup> USA. CDDH/IV/SR. 2. March 14 1974.

<sup>451</sup> USA. CO/LU/27.9.1974. A.CICR.B.AG.059-334. September 27, 1974; USA. A/CONF.95/PREP.CONF./II/SR.25. April 1979.

<sup>452</sup> UK. CDDH/IV/SR.12. February 26, 1975.

<sup>453</sup> USA. CDDH/IV/SR.2. March 14, 1974.

Framing both weapons and proposals from small and medium states in this way served to legitimize great powers' continued ability to use these weapons. It also served to maintain their authority regarding the characteristics of these weapons and reinforce the idea that their distinct expertise was necessary for making rules regulating these weapons. Furthermore, it forestalled small and medium states' efforts to enact prohibitions on various weapons, using technical arguments to sow doubt regarding the humanitarian contributions of such initiatives.

Small and medium states, in contrast, framed risks and harm as posed by the inherent characteristics of certain weapons. Whereas great powers focused solely on the risks posed to civilians, small and medium states argued that certain attributes of these weapons made their use inhumane for civilians and combatants alike. They argued that it was not a question of how the weapons were used, but that no use of incendiary weapons like napalm could be discriminate and could avoid causing unnecessary suffering.<sup>454</sup> Focusing on the harm caused by various weapons—what would later be called a humanitarian framing from the mid-1990s onward—and framing it as inherent to the weapon itself challenged great powers' attempts to legitimize their own use of various conventional weapons. Moreover, framing weapons in this way facilitated small and medium states' efforts to increase agency and influence (in making the rules for a wider range of activates), as well as reducing their vulnerability to great powers by addressing situations in which great powers were likely to use these weapons against small and medium states.

In addition, they framed more stringent regulations, such as prohibitions on all uses of certain weapons, as necessary to achieve these objectives. For example, a draft proposal from sixteen small and medium states proposed to ban the use of most

---

<sup>454</sup> Yugoslavia. CO/LU/30.9.1974. A.CICR.B.AG.059-334. September 30, 1974; Ghana. CO/LU/1.10.1974. A.CICR.B.AG.059-334. October 1, 1974; Romania. CO/LU/1.10.1974. A.CICR.B.AG.059-334. October 1, 1974.

incendiary weapons in all circumstances. The proposal argued that a blanket prohibition on incendiary weapons would be a “much safer construction of the rule than one which would except from the ban certain uses, as regards which there might be a reluctance to accept a ban. Such a limited ban on use should be more susceptible of breaking down than a ban which is complete and which would not justify any deployment of the weapons in question.”<sup>455</sup> In contrast, the United Kingdom sought to push back against this framing, cautioning that efforts to create absolute rules risked not being universally accepted, and would be more often violated than respected.<sup>456</sup> Reflecting small and medium states’ efforts to increase their agency and influence by making new rules governing certain conventional weapons, Switzerland argued that new, expansive regulations were necessary and that the status quo would not suffice: Switzerland “was not prepared to accept partial solutions which merely reproduced the provisions of the Hague and Geneva Conventions and their additional protocols [...] [This] delegation would therefore oppose any imprecise solution that permitted exceptions.”<sup>457</sup> By advocating for more extensive new rules, governing a greater range of activity, they sought to exercise greater agency and influence over state behavior, including restricting great powers’ ability to exempt themselves from such rules.

Small and medium states also sought to reframe questions of the technical characteristics of weapons and rebuff great powers’ argument that the technical basis for their claims regarding the characteristics of these weapons was weak. For example, Mexico argued that “outdated arguments and over-complicated technicalities which might indefinitely postpone any possibility of agreement had been advanced by Powers which possessed the greatest technical knowledge and the most advanced

---

<sup>455</sup> CDDH/IV/201. 1975.

<sup>456</sup> United Kingdom. CO/LU/14.10.1974. A.CICR.B.AG.059-334. October 14, 1974

<sup>457</sup> Switzerland. A/CONF.95/SR.5. September 17, 1979.

weapons of mass destruction.”<sup>458</sup> Likewise, Sweden insisted as early as 1975 that there was sufficient information from the Lucerne conferences to negotiate an agreement banning certain conventional weapons.<sup>459</sup> Although disagreements over the technical characteristics and effects of weapons were real, both great powers and small/medium states employed arguments of this nature to frame weapons in ways that advanced their objectives. Further evidencing the extent to which these were strategic frames rather than primarily technical disagreements, the CCW was ultimately agreed based on political factors rather than agreement on knowledge regarding the features of various weapons. For example, the negotiations produced a ban on weapons producing non-detectable fragments (Protocol I), despite little evidence of such weapons existing.

### *Building Support*

Among small and medium states, the effort to make rules limiting certain conventional weapons was led by Austria, Egypt, Mexico, the Netherlands, Nigeria, Norway, Switzerland, and Yugoslavia. This group included NATO allies (the Netherlands and Norway), neutral states (Switzerland and Austria), and members of the Non-Aligned Movement (Egypt, Nigeria, and Yugoslavia). It was not a cohesive bloc but a collection of states that collaborated to pursue the CCW. These small and medium states mainly focused on building support for fully banning incendiary weapons among other small and medium states, rather than primarily by seeking to cooperate and compromise with great powers. Indicating the value placed on building support from a large number of states, Norway commented how the number of

---

<sup>458</sup> Mexico. CDDH/IV/SR.3. March 15, 1974.

<sup>459</sup> Sweden. Reply to the Report of the Secretary General Under Resolution 3255B. A/10223. July 22, 1975.

coauthors on document CDDH/DT/2 (one of the first proposals to ban incendiary weapons) showed the level of interest in limiting the use of certain weapons.<sup>460</sup>

They also introduced resolutions in the UN General Assembly (which makes decisions by majority vote, rather than consensus, and in which small and medium states far outnumber great powers) to build momentum for an agreement prohibiting certain conventional weapons. In December 1974, for example, the General Assembly adopted Resolution 3255B, which condemned the use of napalm and other incendiary weapons “in armed conflicts in circumstances which might affect human beings or cause damage to the environment” and urged “all states to refrain from the production, stockpiling, proliferation and use of such weapons, pending the conclusion of agreements on the prohibition of these weapons.”<sup>461</sup> Although no states voted against the resolution, twenty-seven states (great powers and their allies) abstained, reflecting their disagreement with it.

By early 1975, small and medium states were ready to negotiate a treaty banning certain conventional weapons. In February 1975, sixteen small and medium states (none of which were allied with great powers, except for Norway) introduced resolution CDDH/IV/201, which proposed blanket prohibitions on a variety of conventional weapons, including incendiary weapons, anti-personnel fragmentation weapons, flechettes, and “especially injurious small-calibre projectiles.”<sup>462</sup> Other small and medium states later joined the resolution as co-sponsors. Ultimately, this proposal failed due to great powers’ control of the institutional format for negotiations and the requirement for consensus (as described further in the next section). However, this early mobilization to prohibit the use of wide array of conventional weapons—in all circumstances, against both civilians and combatants, and despite great powers’

---

<sup>460</sup> Norway. CO/LU/15.10.1974. A.CICR.B.AG.059-334. October 15, 1974.

<sup>461</sup> UN General Assembly. Resolution 3255.B. December 9, 1974.

<sup>462</sup> CDDH/IV/201. 1975.

opposition to it—highlighted small and medium states’ efforts to generate support for their objectives through building strength in numbers through the UN General Assembly.

However, divisions between small and medium states in alliances with great powers and non-aligned or neutral states inhibited their ability to build a strong mass of support for an expansive agreement that reduced their vulnerability and increased their agency and influence. Small and medium states in NATO (primarily the Netherlands and Norway), actively sought to also find an agreement that would be acceptable to the United States, United Kingdom, and France, at times siding with great powers against initiatives from other small and medium states. This approach from small and medium NATO members was congruent with great powers’ efforts to avoid being isolated in their pursuit of more limited regulation.

An internal US memo laid out the concern that if CCW failed to reach an agreement and the blame was attributed to the US position on incendiary weapons, there would be significant criticism from other countries, especially in view of the US use of incendiary weapons in Vietnam and in World War II.<sup>463</sup> The United States, thus, sought to build support among allies and gain multilateral acceptance of its goals in the CCW process. In addition, the Soviet Union and United States (despite their many differences, including over the Vietnam War) coordinated their statements at the 1974 Lucerne Conference in an effort to stymie more ambitious proposals from small and medium states.<sup>464</sup>

---

<sup>463</sup> USA. 1980. Memorandum for the Secretary of Defense: US Position on Incendiary Weapons at the UN Conference on Conventional Weapons.

<sup>464</sup> Giovanni Mantilla. 2022. Deflective Cooperation: Social Pressure and Forum Management in Cold War Conventional Arms Control. Working Paper.

To build support for great power objectives, the United States sought to coordinate a united position among NATO members.<sup>465</sup> It also worked to obtain united NATO support for both the substance and the institutional format of negotiations, and in meetings with NATO allies, “called attention to the close linkage between procedural and substantive matters emphasizing the need for protecting NATO interests through some form of consensus.”<sup>466</sup> As a result of pressure from great powers in NATO, small and medium states in the alliance hesitated to extend protections to combatants rather than restricting protections only to civilians—so much that the Netherlands withdrew its sponsorship from a proposal it had planned to submit in 1972 with Egypt, Finland, Mexico, Norway, Sweden, Switzerland and Yugoslavia.<sup>467</sup>

To build support for great power objectives among small and medium states, and to counteract support for ambitious proposals from states like Sweden, Mexico, Switzerland, and the NAM, the United States went to far as to draft a proposal for regulating incendiary weapons, but have the Netherlands introduce it as a Dutch initiative.<sup>468</sup> Although this proposal prohibited the use of incendiaries against civilians in many circumstances, it allowed states to continue using these weapons against combatants. As further evidence of Western great powers’ efforts to build support for their objectives among their allies, the United Kingdom and France coordinated with the Netherlands to introduce in 1976 a proposal for regulating the use of landmines, while still permitting them in many circumstances.<sup>469</sup> Although the Netherlands’ co-sponsorship signaled an effort by great powers to work with smaller states and

---

<sup>465</sup> USA. Memorandum: NATO Law of War/Conventional Weapons Preparatory Conference Consultations, 8-9 November 1978, at Brussels, Belgium. November 16, 1978.

<sup>466</sup> Ibid.

<sup>467</sup> Frits Kalshoven. 1975 The Conference of Government Experts on the Use of Certain Conventional Weapons, Lucerne. 24 September-18 October, 1974. *Netherlands Yearbook of International Law*. 152.

<sup>468</sup> Prokosch 2021, 4.

<sup>469</sup> CDDH/IV/213. 1976.

promote their involvement in the negotiations, such proposals still sought to advance great powers' objectives. As United States and United Kingdom both made clear, the British/Dutch/French landmine proposal would still give them the flexibility to use landmines, noting that “the nature and extent of the recording [of the location of pre-planned minefields] would depend on the type of minefield in question and the circumstances and method of its emplacement”—consistent with their efforts to regulate the use of weapons rather than prohibit specific weapons.<sup>470</sup> Yet this approach to building support was a success, in combination with great powers' insistence that decisions be made by consensus: ultimately, the 1976 British/Dutch/French proposal formed the basis for the text of CCW Protocol II.

In convening two key conferences to develop understandings of various weapon's effects (the 1974 Lucerne conference and the 1976 Lugano conference), the ICRC helped draw states' attention to these issues and provided a venue for small and medium states to build support for regulating certain conventional weapons. These meetings played a crucial role in developing momentum for weapons governance. In addition, ICRC reports on the laws of war mentioned both incendiary weapons and mines as weapons of humanitarian concern, raising states' awareness regarding the implications of the use of these weapons.

Yet the ICRC did not explicitly advocate for regulating any particular weapon, and instead took great pains to avoid developing or endorsing recommendations regarding specific weapons in these conferences. The ICRC was deeply concerned about becoming involved in political disagreements among states and risking its status as a neutral humanitarian actor.<sup>471</sup> It was also worried that becoming involved in efforts to govern conventional weapons would detract from its ability to shape the

---

<sup>470</sup> CDDH/IV/SR.29. May 25, 1976.

<sup>471</sup> Kalshoven 1975.

ongoing negotiations over the Additional Protocols to the Geneva Conventions. The ICRC even declined an invitation from the UN Under-Secretary General to contribute to a UN report on incendiary weapons, claiming that all of its staff were occupied with the negotiations over the Additional Protocols.<sup>472</sup> At the same time, both great powers and small/medium states emphasized that determining the legality and regulation of weapons remained the responsibility of governments, and that they would not cede this authority to the ICRC.<sup>473</sup> Thus, while the ICRC played an important role in building support for the CCW by raising awareness of the issue, as well as hosting conferences to explore the effects of different weapons and which indirectly helped states build support for their goals, its contributions to the treaty form and content were ultimately limited and should not be overstated.

#### *Contestation Over the Institutional Format*

The choice of institutional format for negotiating an agreement was contentious throughout the process leading to the CCW.<sup>474</sup> Reflecting great powers' efforts to circumscribe the scope of potential governance, the Soviet Union repeatedly argued that the ICRC conferences and the Ad Hoc Committee of the Diplomatic Conference on International Humanitarian Law (the CDDH, which was mainly occupied with negotiating the Additional Protocols to the Geneva Conventions) were not the appropriate forum for negotiating limits on weapons.<sup>475</sup> The Soviet Union claimed that issues regarding weapons should instead be addressed in the Conference of the Committee on Disarmament (later simply the Conference on Disarmament)—in

---

<sup>472</sup> Baxter 1977, 50

<sup>473</sup> W. Hays Parks. 2005. Conventional Weapons and Weapon Reviews. *Yearbook of International Humanitarian Law* 8: 55-142, 73.

<sup>474</sup> Mantilla likewise emphasizes the importance of 'forum management' for great power seeking to frustrate efforts to ban certain conventional weapons. Mantilla 2022.

<sup>475</sup> USSR. CDDH/IV/SR.29. May 25, 1976.

which great powers' dominance in rule-making was well-established. In contrast, small and medium states sought to negotiate an agreement outside of this body in order to maintain pressure and momentum for a far-reaching agreement that would advance their objectives. As a US negotiator later acknowledged, "referral to the UN Committee on Disarmament would have been tantamount to a death sentence for the proposal."<sup>476</sup>

Related to the question of the venue, the question of whether consensus was required for an agreement or not was a source of disagreement from the beginning. Great powers insisted that decisions be made consensus: the Soviet Representative stressed that "the method of taking decisions was extremely important because it involved the security of States. That was especially true for questions related to the prohibition of certain types of conventional weapons [...] Clearly, universality in decisions could only be achieved through a consensus."<sup>477</sup> The Soviet Union's opposition to addressing weapons issues in the CDDH was at least in part due to the CDDH's procedures for making decisions: the CDDH made decisions by a qualified majority (two-thirds) voting procedure rather than by consensus.

Other great powers also insisted that decisions for regulating certain conventional weapons be made by consensus. The US representative emphasized that "He was in broad agreement with the view of the representatives of the USSR and France concerning the importance of consensus. What was required was to formulate a treaty to which all groups of countries, and not isolated States, could accede."<sup>478</sup> The French representative similarly stated that "a decision to prohibit or restrict use would be meaningless unless it was agreed to by all members of the international community. A text adopted by a majority of States would in fact be a delusion liable to endanger

---

<sup>476</sup> Parks 2005, 72.

<sup>477</sup> USSR. A/CONF.95/PREP.CONF./II/SR.19. March 1979.

<sup>478</sup> USA. A/CONF.95/PREP.CONF./II/SR.19. March 1979.

the security, and thus the independence, of the weakest and most peaceful.”<sup>479</sup>

Although France claimed to be concerned with “the weakest and most peaceful,” small and medium states did not share this view.

In contrast, many small and medium states rejected the idea that decisions could be made by consensus, arguing that it allowed great powers to overturn the will of most countries in the world. As the Egyptian representative proclaimed, “his delegation could not wholeheartedly endorse the argument in favor of general consensus for decisions to be taken by the Conference. Such a procedure, which had never been adopted hitherto in a conference of that nature, would be tantamount to giving a right of veto to a small number of countries.”<sup>480</sup> Similarly, Mexico argued “that to insist on the formula of consensus, would, therefore, be to stretch the meaning of the terms of reference of the Conference.”<sup>481</sup> Reflecting small and medium states’ attempt to exercise greater agency through the negotiations, Austria argued that decision-making by consensus was not necessary for an agreement to be effective:

[Austria] did not, however, share the opinion of those delegation which held that decisions reached without consensus would be meaningless. There were examples in history of agreements on disarmament matters or on the prohibition or restriction for humanitarian reasons of the use of certain types of weapons which had been concluded without the consent of various of the States that had participated in the negotiations, but which those States and recognized or ratified at a later stage. His delegation therefore urged all others to consider adopting a flexible approach so as to ensure that the Preparatory Conference and the Diplomatic Conference were able to achieve meaningful results.<sup>482</sup>

These intense debates over whether to take decisions by consensus or not reflect the geopolitical implications of multilateral weapons governance. Making decisions by consensus would preserve great powers’ social dominance by allowing

---

<sup>479</sup> France. A/CONF.95/PREP.CONF./I/SR.7. September 1978.

<sup>480</sup> Egypt. A/CONF.95/PREP.CONF./I/SR.8. September 1978.

<sup>481</sup> Mexico. A/CONF.95/PREP.CONF./II/SR.24. March 1979.

<sup>482</sup> Austria. A/CONF.95/PREP.CONF./I/SR.9. September 1978.

them to veto proposals they disagreed with. Moreover, great powers' framing of the issue—including claiming that the technical basis for declaring certain weapons inherently indiscriminate was weak—provided a ready justification for their refusal to join consensus. On the other hand, rejecting the need for consensus and taking decision by a majority would empower small and medium states which vastly outnumbered great powers. Rule-making by majority was a strategy that would work in tandem with efforts to build support among a large number of small and medium states for banning certain conventional weapons (in particular, incendiary weapons). The Egyptian representative underscored this strategy and the importance of making rules governing certain conventional weapons in declaring that “states at war [cannot] derogate from the law established and accepted by the international community,” indicating an effort to impose the will of the majority on those in combat, including great powers.<sup>483</sup> In contrast, great powers were highly concerned by initiatives relating to certain conventional weapons stemming from the General Assembly, which passed resolutions on a majoritarian basis. They viewed it as a “hostile political setting” because its practices based on sovereign equality undermined their status quo dominance.<sup>484</sup>

Once the Ad-Hoc Committee concluded its consideration of various conventional weapons in 1977, the UN General Assembly mandated in 1978 a conference to negotiate prohibitions or restrictions on the use of certain conventional weapons. This process reflected the tug of war between rule-making by majority and by consensus: although the UN General Assembly resolution mandating negotiations was adopted by majority, the first preparatory conference in 1978 ended in a stalemate between great powers and small/medium states over the procedure for adopting

---

<sup>483</sup> Egypt. CO/LU/11.10.1974. A.CICR.B.AG.059-334, October 11, 1974. Translated from French.

<sup>484</sup> RG-389-P1-Box1-thru9-p. 507, cited in Mantilla 2022.

decisions.<sup>485</sup> Ultimately, the actual negotiating sessions in 1979 and 1980 only approved proposals by consensus.

Why did small and medium states not reject great powers' insistence on consensus, and negotiate an agreement based on a majority vote, as they would later do in the Mine Ban Treaty, Cluster Munitions Convention, and Treaty on the Prohibition of Nuclear Weapons (among others)? Although they were aware of the implications of rulemaking by consensus versus by majority vote, small and medium states viewed great powers' participation as necessary for the agreement to have any impact. As the Swedish delegate explained, "Obviously, rules for the prohibition or restriction of use of specific conventional weapons would have limited effect if adopted against the opposition of some militarily important Power or Powers."<sup>486</sup> Given that great powers (especially the United States) widely used both landmines and incendiary weapons, small and medium states did not envision that an agreement without these states' participation would reduce their vulnerability vis-à-vis great powers.<sup>487</sup>

### ***Outcome: The Limits of Compromise***

The 1980 CCW takes the form of an 'umbrella' convention that lays out general principles for the use of certain conventional weapons, and three protocols that address specific types of weapons. Reflecting small and medium states' efforts to both reduce their vulnerability to great powers and to exercise agency and influence, the preambulatory text of the convention recalls and reinforces the principle that parties to an armed conflict do not have an unlimited right to choose methods or means of

---

<sup>485</sup> Mantilla 2022.

<sup>486</sup> Sweden. A/CONF.95/PREP.CONF./I/SR.4. August 1978.

<sup>487</sup> For an analysis of how this perception regarding the necessity of great powers' participation changed in the leadup to the Mine Ban Treaty, see Cottrell 2014.

warfare. It declares that the CCW is based on the principle that “prohibits the employment in armed conflicts of weapons, projectiles and material and methods of warfare of a nature to cause superfluous injury or unnecessary suffering”; as well as “methods or means of warfare which are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment.”<sup>488</sup>

Protocol I—the shortest text of any multilateral weapons governance agreement—simply states, “It is prohibited to use any weapon the primary effect of which is to injure by fragments which in the human body escape detection by X-rays.”<sup>489</sup> This protocol was proposed by Mexico and Switzerland, and—reflecting small and medium states’ effort to reduce their vulnerability—covers use against civilians and combatants alike. There was little disagreement over this blanket prohibition, but this was largely because great powers did not consider any weapons they used (or planned to use) to produce these effects.<sup>490</sup> As one US participant later described, “Protocol I banned a non-existent weapon.”<sup>491</sup> Thus, while the process of developing Protocol I advanced small and medium states’ efforts to create a new rule governing relations among states and the resultant rule addressed aspects of their vulnerability about which they were concerned, Protocol I ultimately did little to change great powers’ behavior.

In contrast, Protocols II and III were far more contentious. Protocol II prohibits the use of mines in areas containing a concentration of civilians, and prohibits the use of booby-trapped munitions disguised to look like civilian objects (e.g., children’s toys, religious items, food, or medical equipment). It also requires parties to conflicts using mines to record the location of all pre-planned minefields (though often, the

---

<sup>488</sup> United Nations. 1980. Convention on Certain Conventional Weapons. 1342 UNTS 137.

<sup>489</sup> United Nations. 1980. Protocol I: Non-Detectable Fragments, Convention on Certain Conventional Weapons. 1342 UNTS 168.

<sup>490</sup> Fenrick 1990, 503.

<sup>491</sup> Parks 2005, 76.

location of minefields was not pre-planned). Prohibiting booby-traps was consistent with great powers' emphasis on governing the use of various weapons, rather than banning certain weapons outright, as virtually any object can be booby-trapped (i.e., disguised as a civilian object): it refers to a method of use rather than a specific physical weapon.

Protocol II also contains significant caveats: mines may be placed in civilian areas as long as measures are taken to protect civilians from their effects: for example, by posting warning signs and sentries, establishing fences, and/or issuing warnings to the civilian population. In addition, remotely-delivered mines may be used if they contain a neutralizing device or their location can be accurately recorded. These exemptions significantly weakened the extent to which Protocol II required changes to states' practices, to the extent that it provided few additional requirements or restrictions beyond the protections for civilians that states had already agreed to in the 1977 Additional Protocol I to the Geneva Conventions. Instead, indicating the degree to which Protocol II embodied great powers' objectives, one US participant noted that "Protocol II was significant in its acknowledgement of the legality of the use of mines, booby-traps and other devices against combatants, i.e., that their injury, often severe, frequently fatal, does not constitute superfluous injury."<sup>492</sup>

Protocol III prohibits the use of incendiary weapons—defined narrowly as weapons that are “primarily designed to set fire to objects or to cause burn injury to persons through the action of flame, heat, or combination thereof, produced by a chemical reaction of a substance delivered on the target” —against civilians or against military objects in areas located within a concentration of civilians.<sup>493</sup> In this regard, it represents a compromise between great powers' efforts to restrict the scope of

---

<sup>492</sup> *Ibid.*, 77.

<sup>493</sup> United Nations. 1980. Protocol III: Prohibitions or Restrictions on the Use of Incendiary Weapons. Convention on Certain Conventional Weapons. 1342 UNTS 171.

regulation to weapons used against civilians and small and medium states' efforts to extend protections to combatants. Moreover, although Protocol III specifies flamethrowers (but does not explicitly list napalm) as an example of incendiary weapons covered under its scope, it does not explicitly restrict the use of other munitions with secondary incendiary effects (e.g., white phosphorous), enabling great powers to continue using many weapons with incendiary effects in their arsenals.

The language in both Protocols I and III refers to weapons primarily (and thus, intentionally) designed in certain ways or whose primary effect is to produce certain consequences. The language reflects great powers' efforts to limit the extent of governance in ways that preserved their ability to use these weapons. By restricting the scope of the agreement to weapons primarily designed and which produce certain primary effects, great powers preserved their status quo freedom of action, as they could claim that these weapons were not designed for such a purpose and/or that these were auxiliary effects of the weapons. This was particularly important for great powers with regard to incendiary weapons, which they used widely.

For example, an internal US review distinguished between “pure incendiary weapons” (weapons whose primary purpose is to start destructive fires) and “combined effects munitions” that incidentally produced these effects. It concluded that the United States could support “a prohibition on the use of air-delivered pure incendiary weapons against military objectives located within concentrations of civilians” and that such a prohibition “would not seriously impair our ability to conduct successful military operations.”<sup>494</sup> However, the assessment also clearly defined the scope of what limits the United States could accept: it was necessary that “the restriction on use contemplated in the CCW for pure incendiaries not be considered applicable for certain air-delivered weapons with an incendiary

---

<sup>494</sup> USA. DoD Incendiaries study.

capability.”<sup>495</sup> In contrast, by seeking to regulate conventional weapons irrespective of intent and of whether the effect was primary or auxiliary, small and medium states sought a much broader scope for regulation. Such efforts found their greatest expression in Protocol II (mines and booby-traps), which prohibits all use of remotely-delivered mines in civilian areas, as well as booby-traps that appear as civilian objects.

The CCW is also notable for what it does not cover. It does not address many weapons that were discussed at length during the negotiations, and which small and medium states had sought to include, such as flechettes, small-calibre bullets, fuel-air explosives, directed energy weapons, and cluster munitions.<sup>496</sup> Although eight types of weapons were officially on the agenda for negotiations in 1979-1980, participants reached consensus on regulating only three. The five left unregulated all concerned the use of the weapons in question against combatants, not just civilians.<sup>497</sup> In contrast, Protocols II and III mainly address the use of weapons against civilians. The CCW also does not contain any specific requirements for implementation, any verification mechanisms or any measures to assess states’ compliance with the protocols.

Although the CCW does not cover any particular future weapons explicitly, it stipulates a review process intended to address future weapons that might need regulation. This process was used in the mid-1990s to develop Protocol IV addressing lasers intended to blind. Yet great powers also made clear that any future efforts to regulate weapons under the CCW would only be permissible under the same rules of procedure that allowed great powers to limit the scope of the 1980 CCW: “any amendment or future agreement on new categories of weapons must receive the widest

---

<sup>495</sup> Ibid.

<sup>496</sup> Although cluster bombs were eventually addressed by the CCW in Protocol V (2003) and outside the CCW in the Cluster Munitions Convention (2008).

<sup>497</sup> W. Hays Parks. 2006. Means and Methods of Warfare. *George Washington International Law Review* 38(3): 511-542, 518.

possible support of the parties to the original treaty, in particular, that of the major military Powers.”<sup>498</sup>

Overall, the limited outcome of the CCW process reflects the tensions between great powers and small and medium states’ objectives in regulating certain conventional weapons. The range of the protocols—restricting the use of three different specific types of weapons—reflects small and medium states’ agency and influence in international rule-making. The limited changes to state behavior required by the protocols—especially in Protocols II and III, which focus on the use of weapons against civilians rather than on their use against combatants, as well as the fact that more types of weapons are not governed—reflect great powers’ efforts to preserve their dominance and associated freedom of action. At the same time, the 1980 CCW was the first time since the 1920s that governments had agreed to regulate multiple classes of weapons that were widely used in warfare. It was also significant in its effort to address humanitarian concerns, alongside the geopolitical objectives driving multilateral weapons governance. In this regard, it was a major step forward that paved the way for small and medium states to develop more stringent regulations in the 1990s and 2000s.

#### *Was the CCW a Success? Reactions from States*

Great powers praised the CCW text as “considerable progress towards arms control” which “added significantly to the protection accorded by existing law to civilians and civilian objectives.”<sup>499</sup> In contrast, many small and medium states made clear their disappointment with the final text. The representative of Sweden, for example, described the results of the CCW as “modest” and expressed concern that “it

---

<sup>498</sup> USA. A/CONF.95/SR.4. September 1979.

<sup>499</sup> USSR. A/CONF.95/SR.12. October 1980; USA. A/CONF.95/SR.12. October 1980.

was becoming increasingly clear that, as far as the use of certain categories of weapons was concerned, the disturbing criterion of military necessity outweighed humanitarian arguments.”<sup>500</sup> The delegate of Yugoslavia voiced similar concerns, and “regretted that none of [Protocol III’s] provisions regulated the protection of combatants. He also deplored the fact that the definition of incendiary weapons contained a number of exceptions.” Linking these outcomes to the maintenance of asymmetries among states and the continuation of great powers’ dominance, he asserted that this “compromise solution constituted a significant advantage for countries which were superior from the technical and military point of view and, which was more serious, enabled them to envisage the free use of some of the most recently types of incendiary weapons.”<sup>501</sup>

Yet several small and medium states also voiced the aspiration that the CCW would be a first step towards more extensive regulations and restrictions, reflecting a view of it as a norm-building instrument whose influence in preventing the use of certain conventional weapons would continue to grow. The representative of Nigeria, for example, stated, “His delegation was not particularly satisfied with the results achieved by the negotiations, but it was prepared to join the consensus on the draft Protocol, which constituted a positive, though modest, step forward. He hoped that there would be more progress with the codification of rules for incendiary weapons.”<sup>502</sup> Likewise, the representative of Switzerland stated in response to Protocol III on incendiary weapons that “he hoped that one day it would be possible to prohibit entirely the use of the category of weapons. The lack of any protection for combatants was a particularly serious shortcoming which must be remedied as soon as

---

<sup>500</sup> Sweden. A/CONF.95/SR.12. October 1980.

<sup>501</sup> Yugoslavia. A/CONF.95/SR.12. October 1980.

<sup>502</sup> Nigeria. A/CONF.95/CW/SR.15. October 21, 1980.

possible.”<sup>503</sup> In a similar vein, the delegate from Austria declared, “It was therefore with a feeling of bitterness that his delegation accepted a text which made no mention of the protection of combatants,”<sup>504</sup> but later expressed his view that the agreement “might be regarded as a moral ban and it could be hoped that States would hesitate henceforth to use those excessively cruel weapons, even against combatants.”<sup>505</sup> These delegates voiced the norm-building aspirations that many small and medium states ascribed to this and other multilateral weapons governance agreements.

Reflecting their disappointment with the outcome of negotiations, few states ratified the CCW and its protocols in the immediate aftermath of the treaty’s opening for signature. Among great powers, only the Soviet Union ratified the CCW and its three initial protocols in 1982—and quickly violated them in Afghanistan.<sup>506</sup> The United States did not ratify Protocols I and II until 1995, and only ratified Protocol III in 2009. The United Kingdom similarly did not ratify the protocols until 1995. Although France ratified Protocols I and II in 1988, it did not ratify Protocol III until 2002. In contrast, leading small and medium states (e.g., Mexico, Norway Sweden, and Switzerland) ratified the CCW and all three initial protocols in 1982 or 1983. However, only twenty-six small and medium states ratified the CCW and at least two of its protocols in the decade immediately following the negotiations. This disappointment with the CCW text, coupled with the continued harm to civilians caused by the use of landmines in the 1980s and 1990s led small and medium states to pursue a new agreement that would more effectively advance their objectives in the 1997 Mine Ban Treaty.

---

<sup>503</sup> Switzerland. A/CONF.95/SR.12. October 1980.

<sup>504</sup> Austria. A/CONF.95/SR.12. October 1980.

<sup>505</sup> Ibid.

<sup>506</sup> Carvin 2017, 62.

### *A Cooperation Challenge?*

Overall, the CCW is not well-explained by rational choice expectations. Neither great powers nor small/medium states pursued the CCW due to challenges of enforcing standards of behavior. Concerns about enforcement were strikingly absent from the negotiations and the CCW contains no enforcement mechanisms. The lack of any verification or monitoring mechanisms in the CCW challenges the proposition that it was designed to address a transparency-secrecy tradeoff regarding states' possession and use of certain conventional weapons.<sup>507</sup> The agreement does not provide information about other states' activities, but there is also no indication that states avoided doing so because they were able to unilaterally monitor each other's activities. In addition, distribution challenges—who bears the costs of adjustment and who gains specific benefits from the bargain—were not major concerns for any states. Rather, they were concerned by how regulating and/or prohibiting certain conventional weapons would affect geopolitical relations between great powers and small/medium states. Rational choice explanations would expect that, absent severe distribution and/or enforcement challenges, it should be relatively easy for states to reach an agreement.<sup>508</sup> Instead, the process leading to the CCW was fraught with disagreement and the resulting convention is much more limited in scope than many proponents sought.

Both great powers and small/medium states sought an agreement that coordinated standards of behavior but did not place heavy costs on them, which is consistent with a rational choice explanation. Small and medium states were concerned about the use of future weapons (whose properties were not well-known), which is also consistent with such an explanation, but they were primarily concerned

---

<sup>507</sup> As Coe and Vaynman 2020 would anticipate.

<sup>508</sup> Koremenos, Lipson, and Snidal 2001, 773.

by incendiary weapons and mines, whose properties were well-known. This indicates that risk-based uncertainty regarding the future use of weapons was not a major factor motivating states to pursue the CCW. Indeed, contrary to rational design expectations,<sup>509</sup> neither great powers nor small/medium states expressed uncertainty regarding other states' behavior or preferences, or about the state of the world (except for future weapons, which were a far lesser topic of debate). Although great powers strategically framed their arguments against prohibitions on specific weapons in terms of how little was known about the characteristics of these weapons, this was not a motivation to pursue an agreement, but an effort to argue against an agreement. In expressing frustration with such arguments inhibiting the push to ban certain conventional weapons, a Swedish delegate noted with regret, "this desire that is manifested to refute everything that exists, with the sole intention to prove that we know nothing" about the characteristics of certain conventional weapons.<sup>510</sup>

Regarding the process of reaching an agreement and the outcome of the CCW negotiations, a rational design explanation would expect that greater obligations in an agreement would make it more difficult to conclude the agreement and that higher levels of delegation required would impede entry into force.<sup>511</sup> The CCW does not require significant obligations from states, except for its indefinite (rather than time-bound) nature. As an indication of the lack of obligations in the treaty design, states made reservations, declarations, or other clarifications of their understanding of the agreement. The CCW also does not involve delegation to a third party international organization. These characteristics of the agreement are consistent with rational choice expectations for why the CCW would be agreed and would enter into force. However, the low rate of ratification in the 1980s suggests that factors besides the level of

---

<sup>509</sup> Ibid.

<sup>510</sup> Sweden. CO/LU/7.10.1974. A.CICR.B.AG.059-334. October 10, 1974. Translated from French.

<sup>511</sup> Kreps 2018.

obligation and delegation are needed to explain the outcome of the agreement, and why many states did not ratify an agreement for which they had bargained hard. The differences between great powers and small/medium states' objectives in pursuing the agreement, and how those objectives both affected and were advanced through the process of negotiating an agreement, make clear why the final result of the agreement was disappointing for many states.

### *A Dearth of Domestic Politics*

Neither domestic popular pressure on governments or changes in political leadership explain states' motivation to pursue the CCW or the process leading to it. Domestic politics might appear to be a plausible explanation for why states pursued the CCW because suffering caused by incendiary weapons (especially napalm) was a publicly salient issue in many countries, including the United States.<sup>512</sup> However, although such concerns were often raised in the context of US domestic opposition to the Vietnam War, they did not translate into demands to ban such weapons or negotiate an international treaty banning them. The United States was concerned by backlash from other countries if it was blamed for the failure of negotiations, but US negotiators were not concerned by domestic popular backlash. In France, the United Kingdom, and the Soviet Union, the regulation of certain conventional weapons was not a prominent domestic political issue and domestic publics did not mobilize in support of regulating or banning certain conventional weapons (including napalm). More broadly, the negotiation of the CCW was not a major issue domestically in any country, and diplomats did not experience domestic popular pressure to reach an agreement. They also did not publicize the CCW as a victory to domestic audiences.

---

<sup>512</sup> Elvira Rosert. 2019. Salience and the Emergence of International Norms: Napalm and Cluster Munitions in the Inhumane Weapons Convention. *Review of International Studies* 45(1): 77–99.

Diplomats occasionally suggested that public opinion should be an important guide in their negotiations, specifically referring to the expression in the preamble to the 1899 Hague Convention that international laws of war should be derived in part from the “requirements of the public conscience” (the Martens clause).<sup>513</sup> However, this was used only by small and medium states to argue for banning certain conventional weapons by claiming that the public opposed certain conventional weapons.<sup>514</sup> When diplomats mentioned public opposition to the use of napalm and other incendiary weapons, they did so only in broad terms; in contrast to their near-constant debates over the effects and characteristics of various weapons under consideration. For example, the Swiss representative stated, “his delegation wanted [napalm] to be banned, for the burns it caused clearly fell within the category of unnecessary suffering and were condemned by public opinion.”<sup>515</sup> Overall, notwithstanding rare invocations of the need to follow public opinion, it did not seriously influence the CCW in any significant, specific way.

In considering the effect of changes in domestic ruling coalitions on the CCW negotiations, countries’ positions were largely consistent throughout the process leading to the 1980 agreement, and did not change as new governments came to power domestically. In the United States, for example, the CCW was largely negotiated under the Carter administration, but negotiations concluded under the Reagan administration in 1980. In the United Kingdom, neither Callahan’s rise as prime minister in 1976 nor Thatcher’s in 1979 altered the CCW negotiations.<sup>516</sup>

---

<sup>513</sup> In full, the Martens clause states, “Until a more complete code of the laws of war is issued, the High Contracting Parties think it right to declare that in cases not included in the Regulations adopted by them, populations and belligerents remain under the protection and empire of the principles of international law, as they result from the usages established between civilized nations, from the laws of humanity *and the requirements of the public conscience*” (emphasis added)

<sup>514</sup> E.g., Switzerland. CDDH/IV/SR.17. March 14, 1975; Venezuela. CDDH/IV/SR.31. May 27, 1976; Egypt. CDDH/IV/SR.16. March 12, 1975; Sweden. CDDH/IV/SR.9. February 14, 1975.

<sup>515</sup> Switzerland. CDDH/IV/SR.10. February 19, 1975.

<sup>516</sup> Brezhnev was the leader of the Soviet Union throughout the CCW negotiations.

In addition, the small and medium states at the forefront of the CCW—including Austria, Sweden, and Mexico—were leaders in both past and future multilateral weapons governance initiatives, highlighting the continuity of their approach to multilateral weapons governance. For example, Sweden and Mexico had led efforts to contest great powers’ vision for the NPT in the 1960s, while in the 2010s, Mexico and Austria were leading proponents of the TPNW. In examining these and other leading small and medium states’ positions on the CCW, none changed in response to a change in domestic leadership. Their positions on the CCW changed very little overall, and what changes did occur happened late in the negotiations and in direct response to great powers’ refusal to accept their initiatives. In short, domestic politics played essentially no role in the process leading to the CCW, and countries’ positions were largely consistent with their approaches to other multilateral weapons governance initiatives.

### ***Conclusion***

In examining the dynamics of multilateral weapons governance when both great powers and small/medium states seek to govern a particular weapon or technology, this chapter finds strong support for the theoretical expectations developed in Chapter 2.<sup>517</sup> Great powers and small/medium states pursued the agreement for markedly divergent purposes, framed the conventional weapons under discussion in different ways, used dissimilar strategies to build support, and sought different institutional formats for negotiations. Ultimately, the CCW was a compromise between great powers and small/medium states, and its limited impact reflects the limits of where compromise was possible. Analyzing multilateral weapons governance

---

<sup>517</sup> Although great powers did not pursue the CCW to gain information about other states’ activities, as Chapter 2 expects for initiatives led by great powers.

in a middle case such as the CCW also highlights how small and medium states' objectives in pursuing such agreement are in many ways fundamentally at odds with great powers' objectives.

In addition, although other analyses of the CCW have emphasized the extent to which Cold War geopolitics shaped the outcome of negotiations,<sup>518</sup> this chapter elucidates how these divisions were less between East and West, and characterized more by divisions between great powers (and their allies) on the one hand, and small and medium states on the other. There was little disagreement between the Soviet Union and the United States (as well as the United Kingdom and France) on regulating certain conventional weapons. Instead, the crux of the disagreement was between small and medium states, which sought comprehensive prohibitions on the use of certain conventional weapons that had been used extensively by great powers, and great powers that sought to reduce the suffering caused to civilians without placing meaningful restrictions on their use of conventional weapons and associated freedom of action. At the same time, portraying great powers' objectives as merely blocking progress misunderstands how they actively pursued an agreement, and their active participation in the process leading to the treaty—including the UK's proposal regarding landmines, which served as the basis for the eventual Protocol II. Considering the CCW in relations to other multilateral weapons governance agreements (examined in Chapters 4 and 5) also highlights how the role of geopolitics in the CCW was not an anomaly, but has been characteristic of multilateral weapons governance across decades.

Moreover, this chapter makes clear that the CCW was not simply a clash between actors pursuing humanitarian objectives and actors pursuing national security

---

<sup>518</sup> Kalshoven 1975; Eitan Barak. 2011. *Deadly Metal Rain: The Legality of Flechette Weapons in International Law*. Martinus Nijhoff Publishers; Cottrell 2014; Carvin 2017.

or military objectives. All states involved were concerned by the suffering of civilians in conflict and sought to ameliorate this situation. However, this shared concern was not sufficient to quickly produce an agreement, because great powers and small/medium states also saw the regulation of conventional weapons as a way to maintain or challenge geopolitical relations among states. Their interest in mitigating unnecessary harm and suffering was filtered through these objectives. The process leading to the CCW exemplifies how humanitarian and national security concerns often coexist in weapons governance, but neither offers a full explanation for the motivations and process of multilateral weapons governance. Instead, understanding states' geopolitical relations with one another, the related objectives they seek through multilateral weapons governance, and how these objectives shape their pursuit of an agreement are essential to understand the outcome of these initiatives.

#### *The Limits of Public Statements*

Due to challenges in accessing archival materials created by the COVID-19 pandemic, this chapter relies primarily on official (public) negotiating records. As a result, this limits the ability to identify differences between governments' public statements and private positions, which may be important for understanding states' motivations in pursuing the agreement and how their positions evolved over the course of the meetings and negotiations. For example, if internal documents show that the United States saw the CCW as a tool to constrain the Soviet Union, rather than to maintain great powers' status quo dominance, this would undermine support for the theoretical expectations regarding great powers' motivations. Alternatively, if correspondences not intended for public records indicate that most small and medium states were in agreement with great powers' and that states like Sweden, Mexico, and Austria were outliers in their pursuit of different objectives, this would suggest that

small and medium states' objectives were not adequately captured in this chapter's analysis.

To mitigate such challenges, I employed analyses written by participants in the negotiations, whose writings contain information and assessments of the negotiations that supplemented formal statements in the negotiating record (and which do not support the examples above). Frits Kalshoven, for example, was not only a Dutch delegate to the negotiations but also served as rapporteur for several meetings. W. Hays Parks and Richard Baxter, meanwhile both served on the US delegation, and W. J. Fenrick served on the Canadian delegation. Likewise, Eric Prokosch attended several CCW meetings as a civil society observer. Although their analyses offer specific details not found in the public record, their contributions are broadly consistent with conclusions drawn from the public negotiating record alone. Still, these analyses were written for public view and as such, do not offer a full insight into the internal dynamics shaping states' positions. To supplement these analyses, I also draw on secondary literature by other scholars who have examined the CCW, including Giovanni Mantilla who utilizes British and American archival materials that offer insights regarding internal decision-making in these countries. Although other scholars' conclusions at times differ from those I draw (in large part due to differences in the focus of their analysis and the questions they seek to answer), their analyses do not support either alternative explanation examined in this chapter.

The greatest threat to inference from relying primarily on public statements is the possibility that great powers did not in fact pursue the objectives identified in this chapter, but rather that their public statements were falsehoods and they sought only to stymie small and medium states. If great powers did not want *any* treaty (rather than wanting a different treaty than that which small and medium states wanted), this would undermine the suitability of this case as a middle case. Mantilla makes this

argument, drawing on archival US and British sources to claim that great powers only participated in the negotiations to save face but constantly sought to block progress by small and medium states.<sup>519</sup>

However, the United Kingdom, France, and the United States all introduced or cosponsored resolutions proposing specific regulations, indicating an interest in making rules that went beyond simply blocking proposals from small and medium states. Moreover, the active efforts of British and American representatives in the Lugano and Lucerne conferences, as well as in the Ad-Hoc Committee, to develop criteria and rules for regulation is at odds with an interpretation that they only sought to prevent progress. In addition, great powers ultimately did end up approving the treaty (even if many did not ratify it for several years), rather than voting against it and preventing it from becoming a reality. While blocking small and medium states' efforts was certainly part of great powers' objectives in the CCW, it was not their only purpose. Moreover, frustrating small and medium states' efforts is still compatible with preserving great powers' status quo dominance. However, without greater access to internal (secret) discussions within states, it is difficult to identify the relative weight great powers ascribed to (negatively) thwarting small and medium states' efforts, as opposed to advancing an agreement that (positively) maintained their status quo dominance.

---

<sup>519</sup> Mantilla 2022.



## CHAPTER 7

### CONCLUSION

#### *Explaining Multilateral Weapons Governance*

In explaining why and how both great powers and small/medium states pursue multilateral agreements to govern weapons, this dissertation provides a foundation for examining questions of weapons governance past, present, and future. Moreover, assessing common theoretical factors in Chapters 4-6—proponents' purpose, the process of reaching an agreement, the outcome, responses from other states, and alternative explanations—enables a comparative analysis of multilateral weapons governance. Although all multilateral weapons governance agreements have unique characteristics and aspects of their history, the objectives that states pursue and the key elements of the process leading to an agreement are repeated across agreements. Questions regarding when weapons governance is possible, what forms it can take, and what outcomes it can produce remain relevant today despite considerable changes in international relations over time.

The explanation provided in this dissertation also elucidates why states pursue multilateral weapons governance even when it does not succeed. Their purpose is aspirational; to create changes or preserve the status quo. This aspiration shapes not only the outcomes states pursue but also the process through which they pursue them.<sup>520</sup> Although an examination of the effectiveness of multilateral weapons governance agreements is beyond the scope of this dissertation, it is clear that not all agreements are wholly successful in advancing proponents' objectives. Understanding

---

<sup>520</sup> Martha Finnemore and Michelle Jurkovich. 2020. The Politics of Aspiration. *International Studies Quarterly* 64(4): 759–769, 761.

the aspirations for which states pursue multilateral weapons governance explains why they pursue it even if it does not guarantee a successful outcome.

In this chapter, I first assess the applicability of the theoretical expectations to an ongoing case of multilateral weapons governing over autonomous weapons, to highlight the utility of this framework for understanding not only past cases of multilateral weapons governance but future possibilities as well. Second, I consider how aspects of multilateral weapons governance have developed and changed over time. Third, I outline a research agenda for weapons governance that builds on this dissertation. Fourth, I examine the applicability of the theoretical expectations developed here to other areas of global governance. Finally, I lay out the policy implications of this research.

### ***Future Governance of Lethal Autonomous Weapons Systems***

To return to the example from the beginning of the dissertation, understanding why and how both great powers and small/medium states pursue multilateral weapons governance clarifies prospects for current efforts by small and medium states to govern lethal autonomous weapons systems (LAWS). Given that LAWS are an emerging technology, many analysts claim that their complex technical characteristics make it difficult to reach agreement on even a definition of LAWS, let alone regulate them.<sup>521</sup> Yet, although there is not yet a multilateral agreement governing LAWS, the process unfolding thus far reflects the theoretical expectations developed in Chapter 2.

In this case, small and medium states are attempting to reduce their vulnerability to great powers (who are at the forefront of developing autonomous

---

<sup>521</sup> E.g., UNIDIR. 2018. *The Weaponization of Increasingly Autonomous Technologies: Concerns, Characteristics and Definitional Approaches, A Primer*. United Nations Institute for Disarmament Research. Report; Johannes Lang, Robin May Schott, and Rens van Munster. 2018. *States Disagree on Definition of Lethal Autonomous Weapons: Failure to Define Killer Robots Means Failure to Regulate Them*. *Danish Institute for International Studies*. Report.

weapons) and, through creating a multilateral agreement banning this emerging technology, increase their agency and influence in international relations. They have framed autonomous weapons in humanitarian terms—in terms of the threat they pose to helpless individuals and in terms of a moral revulsion to ‘killing by machine’ (i.e., that machines would both decide whom to kill and carry out that decision). In addition, many small and medium states have called for a legally binding treaty (rather than a political declaration) to govern autonomous weapons, to ensure their security vis-à-vis great powers developing LAWS.<sup>522</sup> Austria, for example, argued that “failing to [negotiate prohibitions on LAWS] will undermine the [CCW] and ultimately come at the expense of the security of us all.”<sup>523</sup> To be sure, not all small and medium states support (at present) a treaty banning LAWS. In particular, those allied with great powers have often expressed support for keeping negotiations over autonomous weapons in the CCW.<sup>524</sup> However, the theoretical expectations in Chapter 2 regarding how small/medium states build support for their multilateral weapons governance initiatives emphasize the importance of building a broad mass of support: they do not expect that all small/medium states will necessarily support a given initiative from the start. In the case of the Cluster Munitions Convention, many NATO members initially opposed banning cluster munitions but gradually came to support doing so.<sup>525</sup> Support for banning LAWS may continue to increase over time, among a wider array of small/medium states.

---

<sup>522</sup> E.g., statements by the Non-Aligned Movement, Argentina, Chile, Costa Rica, Ecuador, El Salvador, Mexico, Palestine, Panama, Peru, Philippines, Sierra Leone, and Uruguay. Preparatory Meeting for the 6<sup>th</sup> CCW Review Conference. September 6, 2021.

<sup>523</sup> Austria, Statement by Austria, Sixth Review Conference of the Conventional Weapons Convention, December 13, 2021.

<sup>524</sup> E.g., Germany. 2020. Commentary on “operationalizing all eleven guiding principles at a national level.”

<sup>525</sup> Borrie, 2009, 155.

Moreover, indicating the importance of the format for negotiations, small and medium states have increasingly expressed their frustration with the CCW's procedural rules and its failure to keep pace with technological developments regarding LAWS. They have suggested that if the CCW (which still operates via consensus) is unable to successfully negotiate a ban on LAWS, they will follow the example of the Mine Ban Treaty, the Cluster Munitions Convention, and the TPNW and seek a format for negotiations that does not operate via consensus—and without the support of great powers.<sup>526</sup> For example, Austria warned, that after “eight years of discussion in the CCW this [inability to agree on substantive measures for governing LAWS] is not only disconcerting. It is not good enough, especially given the urgency of the legal, ethical and security risks posed by LAWS. Development of technology is spiraling, yet the GGE kept turning in cycles” and that “The CCW does not exist in a vacuum.”<sup>527</sup> Declaring that the stalemate in the CCW was unacceptable and contrasting it to developments outside the CCW was a clear indication that if the CCW continues to fail in making progress, Austria will seek a solution outside the CCW. Panama similarly suggested that the CCW needed to demonstrate that it was the appropriate forum for addressing autonomous weapons.<sup>528</sup> These threats of exit are credible, according to one former diplomat, because small and medium states have previously taken this approach for other weapons.<sup>529</sup>

Additionally, in 2019, one ambassador claimed that, as in the case of the TPNW, “smaller states are seizing the gap left by big states [...] If there's insufficient progress at the CCW review conference, LAWS may be negotiated outside the CCW

---

<sup>526</sup> E.g., Brazil, Chile, and Mexico. 2021 Concluding statement at the Sixth CCW Review Conference. December 17.

<sup>527</sup> Austria 2021.

<sup>528</sup> Panama. 2021. Statement at the 6<sup>th</sup> Review Conference of the High Contracting Parties to the CCW. December 17.

<sup>529</sup> Interview G-01, November 22, 2019.

without the major technological countries” and that “it’s more unlikely than likely that the CCW will reach agreement on LAWS right now [because] the US and Russia don’t want a legally binding treaty.”<sup>530</sup> Making clear their frustration with the CCW’s decision-making procedures, Brazil, Chile, and Mexico argued that the abuse of the CCW’s consensus rule was leading to a loss of its legitimacy and that a topic of this significance could not be limited to the CCW.<sup>531</sup> In 2021, a larger group of sixteen small and medium states declared that the CCW’s “results to date are not sufficient to address the urgency of this issue” and warned against abusing the CCW’s consensus practice.<sup>532</sup> The same year, a different statement by thirteen small and medium states called for the development of a legally binding instrument to govern LAWS.<sup>533</sup>

These efforts have been accompanied by calls from civil society for a legally binding treaty banning LAWS. Such calls are especially strong from the Campaign to Stop Killer Robots, which comprises many individuals and organizations that previously advocated for the Mine Ban Treaty, the Cluster Munitions Convention, the Arms Trade Treaty, and/or the Treaty on the Prohibition of Nuclear Weapons. The ICRC, meanwhile, recommended in 2021 that states adopt a new, legally binding agreement to regulate LAWS “to ensure that sufficient human control and judgement is retained in the use of force. It is the ICRC’s view that this will require prohibiting certain types of autonomous weapon systems and strictly regulating all others.”<sup>534</sup> Such statements have helped build support among small and medium states for the idea of banning LAWS.

---

<sup>530</sup> Interview G-06, December 10, 2019. Since negotiations (of any sort) on LAWS (as well as other multilateral security questions) have been delayed and limited since early 2020 due to the challenges of hosting in-person meetings during COVID-19, this statement remains an accurate assessment.

<sup>531</sup> Brazil, Chile, and Mexico 2021.

<sup>532</sup> Switzerland. 2021. Joint Statement to the 6<sup>th</sup> CCW Review Conference. December 17.

<sup>533</sup> Group of 13. 2021. G-13 Statement at 6<sup>th</sup> CCW Review Conference. December 17.

<sup>534</sup> ICRC. 2021. Autonomous weapons: The ICRC recommends adopting new rules. Statement at the CCW Group of Governmental Experts on Lethal Autonomous Weapons Systems. August 3, 2021

Should small and medium states decide to pursue multilateral weapons governance of autonomous weapons outside the CCW, the most likely outcome is a (legally binding) treaty that prohibits LAWS: at least twenty-two small and medium states have already declared their support for such an outcome.<sup>535</sup> However, such a treaty would likely serve primarily to stigmatize LAWS rather than contain detailed provisions for monitoring compliance. If, instead, great powers more actively pursue LAWS governance in the CCW to preserve their ability to develop and potentially use autonomous weapons (instead of only arguing against the need for regulation), the theoretical expectations developed in this dissertation anticipate that the result is likely to be a compromise similar to the original CCW. Such a compromise would fall short of small and medium states' ambitions.

Great power efforts to regulate autonomous weapons remain a distinct possibility: in early 2020, one diplomat from a great power described how “in the CCW, we’ve been taking the initiative on LAWS—we’ve taken a middle ground position between banning autonomous weapons and doing nothing.” For this country, the CCW is “a good forum and we’re protected by the consensus rule,” and a ban on LAWS “is not the end goal.”<sup>536</sup> Such statements indicate great powers' interest in governing LAWS, as well as the importance they ascribe to the institutional format for negotiating an outcome. Similar to the CCW case study in Chapter 6, they show great powers' interest in multilateral weapons governance to both sustain their status quo dominance and to stave off efforts by small and medium states to challenge that dominance. Regulating LAWS in a way that preserves great powers' freedom of

---

<sup>535</sup> Reaching Critical Will. 2017. *CCW Report* 5(5): November 17, 2017. <https://www.reachingcriticalwill.org/images/documents/Disarmament-fora/ccw/2017/gge/reports/CCWR5.5.pdf>

<sup>536</sup> Interview G-11, January 30, 2020.

action to develop and use them is an alternative both to ‘doing nothing’ and to banning them.

Furthermore, despite forty years since the original CCW negotiations, debates over autonomous weapons in the CCW are extremely similar to debates over the original 1980 CCW. The United States, for example, has rejected the idea that LAWS are inherently indiscriminate, instead stressing that the key question is instead how they are used—the same argument it made against banning landmines and incendiary weapons in the 1970s.<sup>537</sup> Additionally, both the United States and United Kingdom have argued that negotiating a legally binding treaty to ban LAWS would be ill-advised and is unnecessary, and that concerns over autonomous weapons can instead be addressed by the proper application of existing international humanitarian law.<sup>538</sup> Russia has also pushed back on efforts by small and medium states to develop legally binding rules for LAWS, arguing that autonomous weapons may reduce risks to civilians by increasing precision in warfare.<sup>539</sup> Such statements are highly similar to statements they issued during the CCW negotiations in the 1970s, indicating the endurance nature of how great powers perceive the value of multilateral weapons governance and their reactions to weapons governance proposals by small and medium states—both across time and across different types of weapons.

---

<sup>537</sup> USA. 2019. Consideration of the human element in the use of lethal force, Convention on Certain Conventional Weapons Group of Governmental Experts on emerging technologies in the area of LAWS. March 27; USA. 2021. Statement to the Convention on Certain Conventional Weapons (CCW) Group of Governmental Experts (GGE) on emerging technologies in the area of Lethal Autonomous Weapons Systems (LAWS). December 3.

<sup>538</sup> UK. 2020. Opening Statement at LAWS GGE; September 21; USA. 2019. Possible Options for Addressing Challenges Posed by LAWS. Convention on Certain Conventional Weapons Group of Governmental Experts on emerging technologies in the area of LAWS. March 27; USA. 2018. Possible options for addressing the humanitarian and international security challenges posed by emerging technologies in the area of LAWS, CCW Group of Governmental Experts on lethal autonomous weapon systems, April 13.

<sup>539</sup> Russia. 2020. Working Paper of the Russian Federation National Implementation of the Guiding Principles on Emerging Technologies in the Area of Lethal Autonomous Weapons Systems. Convention on Certain Conventional Weapons Group of Governmental Experts on Lethal Autonomous Weapon Systems.

As this example makes clear, the theoretical framework developed in this dissertation offers valuable insight for understanding not only past instances of multilateral weapons governance but future ones as well. The similarities between states' purposes and how they approach governance (including both how they frame the issue and the importance of the negotiating format) further highlight how even when a technology is new, the political questions that shape its governance at the international level remain familiar. At the same time, the uncertainty regarding whether an agreement on LAWS will result due to a compromise within the CCW or an initiative led by small and medium states outside the CCW (or even whether there will be a multilateral agreement of any sort) highlights the importance of the process-related elements of the theory developed in Chapter 2: understanding states' purpose is necessary, but not sufficient, to understand the outcomes of multilateral weapons governance initiatives. As debates over regulating or banning LAWS continue to unfold, examining how states frame the characteristics of autonomous weapons and the problems associated with them, how they build support for their objectives, and what institutional format they use for negotiations is essential for understanding the outcome of this initiative.

### ***Changes Over Time***

Despite many changes in world politics during the fifty-year period between the 1968 Treaty on the Nonproliferation of Nuclear Weapons and the 2017 Treaty on the Prohibition of Nuclear Weapons, debates over multilateral weapons governance remain similar across time. Yet, although much remains similar across time in why and how states pursue multilateral weapons governance, two key changes in the post-Cold War period suggest that the future of multilateral weapons governance may look different from the past.

The first change is an increase in expectations (heightened by civil society) that multilateral weapons governance can succeed without the consent or participation of great powers. The example of the 1997 Mine Ban Treaty in particular provides a model for small and medium states of successfully reducing their vulnerability to great powers while exercising agency and developing a new norm stigmatizing these weapons that has grown and spread over time. This has raised expectations—both among states and civil society—regarding the success of subsequent multilateral weapons governance initiatives at the global level (specifically, the 2008 Cluster Munitions Convention, the 2013 Arms Trade Treaty, the 2017 Treaty on the Prohibition of Nuclear Weapons, and current efforts to ban autonomous weapons). Since the end of the Cold War, the ICRC has also increasingly used its moral authority as “the international community’s guardian of international humanitarian law” to call for banning certain weapons.<sup>540</sup> In stark contrast to its efforts to avoid recommending specific outcomes for regulating certain conventional weapons in the 1970s, the ICRC explicitly endorsed banning nuclear weapons in 2015, and autonomous weapons in 2021. The ICRC’s shift from neutrality to specific policy recommendations has helped galvanize and build support for such weapons governance initiatives.

Although civil society did work to build support for multilateral weapons governance during the Cold War as well (e.g., the work of Pugwash groups<sup>541</sup>), civil society mobilization in support of multilateral weapons governance by small and medium states has expanded and entrenched in the post-Cold War period. States still ultimately have the sole authority to sign and ratify multilateral treaties, but, over time, civil society has heightened expectations that weapons governance can be effective a)

---

<sup>540</sup> Gibbons 2018, 16. The ICRC also refers to itself as the guardian of international humanitarian law. See Yves Sandoz. 1998. *The International Committee of the Red Cross as guardian of international humanitarian law*. Geneva: International Committee of the Red Cross.

<sup>541</sup> Evangelista 1992, 312-315.

without great powers' direct participation and b) through stand-alone initiatives outside of established institutions (e.g., the CCW meetings, the Conference on Disarmament, or the NPT review conference process). This approach has gained further currency among small and medium states by these established institutions' loss of legitimacy.<sup>542</sup> However, the outcomes of these treaties have not always confirmed such expectations. The Mine Ban Treaty was an unquestionable success in changing state behavior (including the behavior of great powers), but subsequent multilateral weapons governance initiatives using this approach have struggled to change the behavior of both great powers and small/medium states that have ratified the agreement. If other such agreement continue to struggle to produce results, the nature of civil society involvement and the heightened expectations for what multilateral weapons governance by small and medium states alone can achieve may not endure in the future.

Second, the downturn in US-Russia relations, beginning in approximately 2014 with Russia's (first) invasion of Ukraine, has deepened in ways that appear to inhibit the potential for multilateral agreements led by great powers. Although the two countries have jointly pursued multilateral weapons governance during times of serious tensions (including the Vietnam War and war in Afghanistan during the 1980s), the contemporary shift has been accompanied by Russian violations of and US withdrawals from bilateral and multilateral weapons governance agreements, including the 1987 Intermediate Range Nuclear Forces Treaty (INF), the 1992 Open Skies Treaty, and US withdrawal from the 2015 Joint Comprehensive Plan of Action (i.e., the Iran nuclear deal). Periods of tension in the past did not correspondingly involve withdrawal from weapons governance agreements. Since 2014, the United States and Russia have maintained cooperation on the JCPOA (including the process

---

<sup>542</sup> Cottrell 2014.

in 2021-2022 of negotiating US reentry into the JCPOA) but have not pursued any new multilateral weapons governance agreements. To be sure, states do not initiate new weapons governance efforts every year, and there have been several periods in which at least five years passed between agreements led by great powers. However, the decline in US-Russian relations, combined with withdrawals from and violations of weapons governance agreements (both bilateral and multilateral), suggests that great power cooperation on multilateral weapons governance led by great powers may be rare or even non-existent in the near future. Great powers' inability to cooperate on multilateral weapons governance to preserve their status quo dominance may make it easier for other states to challenge their dominance.<sup>543</sup>

Russian use of cluster munitions in Ukraine in 2022 also suggests that small and medium states' efforts to change great powers' may have more limited effects than the case of the 1997 Mine Ban Treaty alone would indicate. Although Russia never joined the 2008 Cluster Munitions Convention, small and medium states hoped that the treaty would stigmatize the use of cluster munitions and (like the Mine Ban Treaty) that over time great powers would also disavow these weapons. To be sure, norms may still have broad adherence by most states, even if violated by one state. Nonetheless, Russia's use of cluster munitions and antipersonnel landmines—especially in areas heavily populated by civilians—highlights the limits of small and medium states' efforts to stigmatize and prevent the use of cluster munitions. Yet this may not be such a new development: the Soviet Union used landmines extensively in Afghanistan in the early 1980s, not long after it had ratified CCW Protocol II, which restricted the use of landmines.<sup>544</sup> Even with great powers' participation in the process

---

<sup>543</sup> Including by challenging the foundations of the status quo nuclear order. See Naomi Egel and Steven Ward. 2022. Hierarchy, Revisionism, and Subordinate Actors: The TPNW and the Subversion of the Nuclear Order. Working Paper.

<sup>544</sup> Carvin 2017, 61-66.

of multilateral weapons governance, small and medium's ability to change great powers' behavior has been limited in the past. Still, Russia's contemporary use of cluster munitions illustrate the limits of small/medium states' efforts to change great powers' behavior through multilateral weapons governance.

### ***A Research Agenda For Multilateral Weapons Governance***

A research agenda examining the dynamics of weapons governance might build on this research in (at least) three ways. First, future research could consider why and how states pursue weapons governance multilaterally versus bilaterally. Whereas this dissertation demonstrates how multilateralism serves to shape or reshape relations between categories of states, bilateral weapons governance initiatives involve relations between two specific states rather than categories of states. Multilateralism and bilateralism are distinct strategies: by making rules for a large number of states, multilateral agreements enable great powers to lock in favorable conditions and stave off potential threats (both known and unknown) For small and medium states, banding together in multilateral rule-making offers the potential to reshape their relations with great powers by making rules and building new norms. However, when a state is concerned only by the behavior of a specific state, negotiating bilaterally under conditions of specific reciprocity may be more effective in producing an agreement that addresses their concerns.<sup>545</sup>

In examining bilateral weapons governance, scholars have long argued that the primary objective of bilateral US-Soviet (and US-Russian) arms control has been (and should be) to stabilize the status quo between these states and minimize incentives to

---

<sup>545</sup> Naomi Egel and Jane Vaynman. 2021. Reconsidering Arms Control Orthodoxy. *War on the Rocks*. <https://warontherocks.com/2021/03/reconsidering-arms-control-orthodoxy/>

use nuclear weapons.<sup>546</sup> Although stabilizing the status quo may be a common objective for the United States in both bilateral and multilateral weapons governance, bilateralism involves stabilizing an equal status quo between great powers. In contrast, multilateralism involves stabilizing a hierarchical status quo between great powers and the rest. Recent scholarship, however, argues that in bilateral US-Soviet arms control negotiations, the United States sought an advantage over the Soviet Union rather than seeking to stabilize the status quo.<sup>547</sup> Such an interpretation indicates that the United States used bilateralism not to stabilize an equal status quo, but to challenge it. Both of these assessments of the objectives of bilateral arms control indicate that for great powers, bilateral and multilateral weapons governance serve different objectives.

At the same time, while weapons governance is broader than arms control (and examples of bilateral weapons governance also include nonproliferation and information-sharing agreements), there are few examples of bilateral weapons governance between small and medium states (other than nuclear agreements between India and Pakistan). Many multilateral weapons governance initiatives led by small and medium states are primarily concerned with the behavior of only a few states (great powers). Why do small and medium states not perceive bilateral weapons governance as a useful tool in world politics? In addition, the process of reaching an agreement that reflects and advances one's objectives may be different in bilateral negotiations. For example, building international support for the initiative is likely to be less important in bilateral than multilateral initiatives.

Second, future research might also consider how states react when other states pursue weapons governance initiatives that are contrary to their own interests or,

---

<sup>546</sup> Thomas Schelling and Morton Halperin. 1961. *Strategy and Arms Control* New York: Twentieth Century Fund. See also Jon Wolfsthal. 2020. Why Arms Control? *Daedalus* 149(2): 101-115; Cameron 2017.

<sup>547</sup> John Maurer. 2022. *Competitive Arms Control: Nixon, Kissinger, and SALT, 1969-1972*. New Haven: Yale University Press.

alternatively, when other states oppose a weapons governance initiative. For example, why do great powers sometimes work to reshape initiatives from small and medium states to advance their own objectives (as they did in the case of the CCW), whereas other times they reject, ignore, and abstain from participating (as they did in the TPNW and in most regional nuclear weapon free zones)? Relatedly, why do small and medium states sometimes prioritize the participation and consent of great powers, at the cost of compromising significantly on their core objectives, while other times they pursue an initiative despite awareness that it lacks great powers' support? None of the initiatives led by small and medium states sought from the start to discourage great powers' participation. Yet some ultimately decided that they could not address great powers' concerns while still pursuing their own objectives (e.g., the Mine Ban Treaty and the TPNW). Especially since compromises in other initiatives did not guarantee great power's adherence to the agreement (e.g., in the Cluster Munitions Convention and Arms Trade Treaty), more research is needed to understand how proponents of multilateral weapons governance initiatives engage with actors that have competing interests and objectives.

Third, future research could examine the effectiveness of multilateral weapons governance by great powers and small/medium states. Understanding why and how states pursue these agreements is a necessary precursor for such evaluations, and given that their objectives differ, metrics for success would likely differ as well. By focusing on multilateral cooperation as a tool to achieve certain objectives, rather than an end in itself, this dissertation helps reconsider assumptions that often underpin evaluations of successful international cooperation. For example, rather than assuming that multilateral weapons governance lacking detailed inspection and monitoring provisions is likely to be weak and ineffective, understanding why such provisions are

often not important for small and medium states facilitates a more careful assessment of the success or failure of a given agreement.

Building on this dissertation, assessing the extent to which these agreements advance states' objectives and why—as well as over what duration and under what conditions—would enrich understandings of the dynamics of multilateral weapons governance. For example, do initiatives from small and medium states actually reduce their vulnerability to great powers and increase their agency and influence? Although the 1997 Mine Ban Treaty appears to be effective in this regard, the 1979 Moon Treaty seems less so. Still, in considering the effectiveness of multilateral weapons governance in achieving states' goals, it is important to compare it to alternative courses of action that are available to them. As scholars have shown, multilateralism is often attractive for small and medium states not because it is easy but because their lack of material dominance creates few other options to influence great powers.<sup>548</sup> However, if multilateral weapons governance is relatively ineffective for states to actually achieve their objectives (compared to other options), this suggests that they should reconsider this strategy.

Likewise, does multilateral weapons governance actually preserve great powers' dominance? Fuhrmann and Lupu find that the NPT was highly successful in curbing nuclear proliferation, even after accounting for selection effects.<sup>549</sup> Yet the NPT was unable to prevent the emergence of four additional nuclear weapons states. Scholars have also found mixed results regarding the effectiveness of the Nuclear Suppliers Group.<sup>550</sup> While other initiatives, such as UN Security Council 1540 or the

---

<sup>548</sup> E.g., Corbett, Yi-chong, and Weller 2021; Egel and Ward 2022.

<sup>549</sup> Matthew Fuhrmann and Yonatan Lupu. 2016. Do Arms Control Treaties Work? Assessing the Effectiveness of the Nuclear Nonproliferation Treaty. *International Studies Quarterly* 60(3): 530–539.

<sup>550</sup> Matthew Fuhrmann. 2012. *Atomic Assistance: How 'Atoms for Peace' Programs Cause Nuclear Insecurity*. Ithaca: Cornell University Press; Matthew Kroenig. 2010. *Exporting the Bomb: Technology Transfer and the Spread of Nuclear Weapons*. Ithaca: Cornell University Press; I. Anthony, C.

Global Initiative to Combat Nuclear Terrorism, appear more successful in preventing terrorist groups from challenging great powers' dominance, it is difficult to determine whether this is due to these multilateral governance initiatives or due to unrelated factors.

Overall, understanding why and how states pursue multilateral weapons governance provides a foundation for many possible areas of fruitful future research. Moving beyond weapon-specific silos (which are particularly prominent in analyses of nuclear weapons) facilitates a more extensive assessment of various dynamics related to multilateral weapons governance, including the choice of bilateral versus multilateral fora, how states address opposition to their initiatives, and the effectiveness of multilateral weapons governance agreements.

### ***Lessons for Other Areas of Global Governance***

The theory advanced here emphasizes both material and social factors that shape states' relations with one another and, in turn, their objectives in governance. For example, nuclear weapons both threaten material devastation and provide great powers with unparalleled status, rights, and privileges. In a different material domain, these relations may be more or less similar to the relations identified here. For example, Corbett, Yi-chong, and Weller argue that small island states' 'performance' of vulnerability is a strategy to increase their influence in both climate and finance-focused international organizations.<sup>551</sup> In their analysis, the actors and elements to which small states are vulnerable are specific to these issue areas. More broadly, however, small and medium states' limited material resources (compared to great powers) make them more vulnerable to the devastation threatened by climate change.

---

Ahlstrom, and V. Fedchenko. 2007. *Reforming Nuclear Export Controls: The Future of the Nuclear Suppliers' Group*. Oxford: Oxford University Press.

<sup>551</sup> Corbett, Yi-chong, and Weller 2021, 13, 70.

Akin to how great powers' possession and use of weapons of war threaten small and medium states' security, climate change—predominantly produced by emissions from great powers, though also from developed, wealthy small and medium states as well—makes poorer small and medium states particularly vulnerable to extreme weather, rising sea levels, and sustained droughts.<sup>552</sup>

While small and medium states seek agency and influence in climate governance, one key difference from weapons governance is that they also increasingly seek financial resources for their own climate adaptation, instead of focusing only on changing great powers' behavior. Financial compensation is not such a priority for small and medium states in weapons governance. Although funding for clearing landmines and cluster munitions that remained in the ground was an issue during the negotiations for these treaties, it was not a significant obstacle. In general, small and medium states have focused on prohibiting or restricting great powers' behavior and resources through weapons governance, not seeking financial resources for their own security.

The similarities between great powers' pursuit of weapons governance and climate governance are less clear. Great powers have sought emissions reduction agreements that maximize their flexibility rather than commit them to specific, legally-binding measures, which is consistent with seeking to avoid regulations that would limit their status quo power and privileges. Yet beyond preserving this flexibility, it is unclear to what extent leading in multilateral climate governance facilitates great powers' preservation of their status quo advantages. Additionally, in the area of climate governance, the distinctions among states have been characterized

---

<sup>552</sup> Oran Young. 2017. *Governing Complex Systems: Social Capital for the Anthropocene*. Cambridge: MIT Press.

less by a division between great powers and the rest and more by asymmetries in states' greenhouse gas emissions.

In other issue areas, the applicability of these theoretical expectations for why and how states pursue multilateral agreements will be affected by how asymmetric relations are among states and the extent to which such asymmetries are (re)produced through international relations. Moreover, the nature of these asymmetries may depend in part on the issue area. In climate governance, for example, the asymmetry between the largest emitters and the rest may be more significant than the distinction between great powers and the rest (which is defined in this dissertation based on both military and social resources). Additionally, in areas where relations among states are less asymmetric and/or the issue is primarily not one in which state policies are central, this framework may be less applicable. In human rights governance, for example, much of the focus is on states' domestic practices and policies and/or the practices of sub-state actors. Even multilaterally, agreements addressing human rights do not generally focus on states' interactions with one another but on their domestic policies and practices instead. More broadly, what states seek (e.g., agency and influence) may overlap across issue areas, whether or not they pursue multilateral governance (and in what form) to address their concerns is likely to be influenced by the nature of the issue and how the combination of its material and social significance shapes relations among states.

### ***Lessons for Policymakers***

In examining the drivers of multilateral weapons governance, this dissertation provides important context for contemporary debates over great power competition and the future of arms control—debates that have increased in prominence considerably over the last five years. Such debates, however, have focused mainly on

competition between the United States and Russia and between the United States and China and have correspondingly focused on prospects for arms control between these states.<sup>553</sup> Most prognoses of the future of arms control are grim. However, this dissertation highlights the commonality of great powers' interests in multilateral weapons governance, even when they disagree significantly in other areas. The NPT case study in Chapter 4 shows this clearly, but other examples include the 1975 Nuclear Suppliers Group, the 2015 Joint Comprehensive Plan of Action, and UN Security Council Resolution 1540 in 2004. Although present prospects for great power cooperation on multilateral weapons governance appear dim, an appreciation of broader trends in multilateral weapons governance underscores that there remains potential for cooperation: despite their intense disagreements with one another, the United States and Russia may still have common interests in multilateral weapons governance.<sup>554</sup>

Regardless of whether great powers are able to cooperate on multilateral weapons governance, this dissertation shows that small and medium states are and have often been active in multilateral weapons governance. A lack of leadership from the United States and other great powers can be (and is) filled by small and medium states seeking to advance divergent goals. Analyzing only initiatives led by great powers also risks misunderstanding when weapons governance is possible, what forms it is likely to take, and what kinds of outcomes it can produce. For example, recent scholarship and analysis often highlight the domestic challenges to US ratification of treaties and conclude that legally binding treaties are unrealistic in the twenty-first

---

<sup>553</sup> E.g., Heather Williams. 2018. Strategic Stability, Uncertainty and the Future of Arms Control, *Survival* 60(2): 45-54; Rose Gottemoeller. 2020. Rethinking Nuclear Arms Control, *The Washington Quarterly* 43(3): 139-159; Wolfsthal 2020; Nina Tannenwald. 2020. Life beyond Arms Control: Moving toward a Global Regime of Nuclear Restraint & Responsibility *Dædalus* 149(2): 205-221; Rebecca Lissner. 2021. *The Future of Strategic Arms Control*, Washington DC: Council on Foreign Relations.

<sup>554</sup> As Bidgood and Potter 2018 have also noted.

century.<sup>555</sup> Yet small and medium states have continued to pursue legally binding treaties to govern various weapons. This should not be surprising, given the importance that small and medium states ascribe to international law as a tool to increase their agency and influence. More broadly, predications regarding the future of arms control that discount small and medium states' activity in pursuing multilateral weapons governance and the reasons for which they do so are of limited utility as a guide for going forward.

Furthermore, focusing solely or primarily on great powers not only overlooks significant activity in multilateral weapons governance but also neglects challenges to US dominance from small and medium states. The purposes for which small and medium states pursue these initiatives are often in direct opposition to the purposes for which great powers pursue multilateral weapons governance. Moreover, both types of states' purposes are much more expansive than the technical issue contained in the scope of the agreement: they are an effort to reshape geopolitical relations between great powers and the rest. US policymakers that lack an understanding of both how divergent small and medium states' (especially those outside US alliances) objectives are compared to US objectives and the implications of these objectives risk both overstating international support for US objectives and underappreciating sources of challenges to the US position in the world.

For example, small and medium states may not share US perceptions of a rising China as a global threat and may not back US efforts to contain China's rise. Alternatively, they may be more concerned by US use and/or threat of use of certain weapons than about new countries acquiring such weapons. In addition, given alternative initiatives from other small and medium states, those small and medium

---

<sup>555</sup> E.g., Tannenwald 2020; Lissner 2021; James Acton, Thomas MacDonald, and Pranay Vaddi 2021. *Reimagining Nuclear Arms Control: A Comprehensive Approach*. Washington DC: Carnegie Endowment for International Peace.

states that have in the past frequently supported initiatives led by great powers (such as US allies) may be less likely to do so in the future. They may be swayed by alternative initiatives for governance that are based on different objectives for what multilateral weapons governance should accomplish. This research indicates that great powers must actively promote their vision for multilateral governance—and world order more broadly—if they are to maintain it.

At the same time, however, this dissertation offers cautionary lessons for small/medium states and their civil society partners. Successfully reducing their vulnerability to great powers requires (at least in part) that great powers change their behavior in response. Creating agreements that rely primarily on stigmatization and normative change to reduce their vulnerability means that these agreements often primarily reflect an aspiration rather than concrete commitments. They may also have unintended consequences. Some scholars have argued that effort to ‘humanize’ war, is a misguided approach that instead prolongs war and facilitates suffering, and which should be subordinated to efforts to end wars.<sup>556</sup> Although they focus primarily on US efforts to develop and apply international humanitarian law in conflicts, such critiques could also be applied to small and medium states’ efforts to reduce their vulnerability by limiting or banning weapons and tools of war. Many specific elements of these critiques are contested,<sup>557</sup> and reducing the damages of war and ending wars are not necessarily contradictory objectives. Yet, on a broader level, they point to important

---

<sup>556</sup> Thomas Smith. 2010. Can Human Rights Build a Better War? *Journal of Human Rights* 9(1): 24-44; Samuel Moyn. 2021. *Humane: How the United States Abandoned Peace and Reinvented War*. New York: Farrar, Straus and Giroux.

<sup>557</sup> E.g., Alonso Gurmendi Dunkelberg. 2021. It’s a Trap! Re-Thinking Samuel Moyn’s *Humane* Beyond the North Atlantic. *Journal of International Humanitarian Legal Studies* 12(2): 345-360; Robert Howse. 2021. Polemical Pacifism: The Wonkfare of Samuel Moyn. *Lawfare*. September 28. <https://www.justsecurity.org/78367/polemical-pacifism-the-wonkfare-of-samuel-moyn/>; John Fabian Witt. 2021. Oh, the Humanity. *Just Security*. September 8. <https://www.justsecurity.org/78135/oh-the-humanity/>; Sarah Snyder, Anne Konhauser, Jana Lipman, Tejasvi Nagaraja, and Scott Sagan. 2022. H-Diplo | ISSF Roundtable 13-10. May 23. <https://issforum.org/to/ir13-10>

questions about the extent to which efforts to govern weapons are the most effective tool small and medium states have to advance their goals, as well as potentially pernicious unintended consequences of these efforts. Given the time and resources devoted to these multilateral weapons governance initiatives (at the expense of time and resources that could be spent elsewhere), it is important to examine what inadvertent effects they may have.

More broadly, this research can help scholars, policymakers, and activists working on international cooperation for a variety of issue areas think more carefully about the conditions under which multilateral cooperation may occur and how they assess the success and failure of different initiatives. Multilateral weapons governance has always been diverse in both purpose and form, and understanding this range provides a guide for navigating future choices. Comprehending why and how other actors have pursued multilateral weapons governance can also help policymakers and activists learn from past initiatives and develop future agreements that better achieve their goals. Furthermore, for individuals who support limits or bans on destructive weapons through multilateral regulation in an effort to reduce human suffering caused by these weapons, understanding why and how states pursue such agreements provides insights regarding the conditions under which such agreements are likely to occur and the extent to which different initiatives are likely to reduce human suffering.



## APPENDIX

*Table A1: List of All Multilateral Weapons Governance Agreements*

<b>Agreement</b>	<b>Year Concluded</b>
International Atomic Energy Agency Statute	1957
Antarctic Treaty	1959
Limited Test Ban Treaty	1963
Outer Space Treaty	1967
Treaty of Tlatelolco	1967
Treaty on the Non-Proliferation of Nuclear Weapons	1968
Seabed Treaty	1971
Zangger Committee	1971
Biological Weapons Convention	1972
Helsinki Final Act	1975
Nuclear Suppliers Group	1975
Convention on Environmental Modification Techniques (ENMOD)	1976
OAU Convention on Mercenaries	1977
Convention on the Physical Protection of Nuclear Material	1979
Moon Treaty	1979
Convention on Certain Conventional Weapons Protocol 1	1980
Convention on Certain Conventional Weapons Protocol 2	1980
Convention on Certain Conventional Weapons Protocol 3	1980
Australia Group	1984
Rarotonga Treaty	1985
Missile Control Technology Regime	1987
International Convention Against the Recruitment, Use, Financing, & Training of Mercenaries	1989
Vienna Document I	1990
Treaty on Conventional Forces in Europe	1990
Register of Conventional Arms	1991
Lisbon Protocol	1992
Open Skies Treaty	1992
OSCE Principles Governing Conventional Arms Transfers	1993
Chemical Weapons Convention	1993
OSCE Principles Governing Nonproliferation	1994
OSCE Code of Conduct on Politico-Military Aspects of Security	1994

Bangkok Treaty	1995
Convention on Certain Conventional Weapons Protocol 4	1995
Wassenaar Arrangement	1995
Balkans Sub-Regional Agreement (Florence Agreement)	1996
Comprehensive Nuclear-Test-Ban Treaty	1996
Pelindaba Treaty	1996
Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (CIFTA)	1997
Additional Protocol for Verification of Nuclear Safeguards	1997
Anti-Personnel Mine Ban Convention	1997
Declaration of San Salvador on Confidence and Security-Building Measures	1998
EU Code of Conduct on Arms Transfers	1998
Firearms Protocol	2001
Programme of Action on Small Arms	2001
SADC Protocol on the Control of Firearms, Ammunition and other Related Materials	2001
Hague Code of Conduct Against Ballistic Missile Proliferation	2002
G8 Global Partnership	2002
Convention on Certain Conventional Weapons Protocol 5	2003
Proliferation Security Initiative	2003
Code of Conduct on Radioactive Sources	2004
Nairobi Protocol	2004
United Nations Security Council Resolution 1540	2004
International Convention for the Suppression of Acts of Nuclear Terrorism	2005
International Tracing Instrument	2005
Semipalatinsk Treaty	2006
ECOWAS Convention on Small Arms and Light Weapons, Their Ammunition and Other Related Materials	2006
Global Initiative to Combat Nuclear Terrorism	2006
Convention on Cluster Munitions	2008
Kinshasa Convention	2010
Nuclear Security Summit	2010
Arms Trade Treaty	2013
Joint Comprehensive Plan of Action (JCPOA)	2015
Treaty on the Prohibition of Nuclear Weapons	2017



## REFERENCES

- Acheson, Ray. 2021. *Banning the Bomb: Smashing the Patriarchy*. New York: Rowman & Littlefield.
- Acton, James, Thomas MacDonald, and Pranay Vaddi 2021. *Reimagining Nuclear Arms Control: A Comprehensive Approach*. Washington DC: Carnegie Endowment for International Peace.
- Aldrich, George. 1973. Human Rights and Armed Conflict: Conflicting Views. *American Journal of International Law* 67(5): 141-149.
- Allan, Bentley. 2017. Second Only to Nuclear War: Science and the Making of Existential Threat in Global Climate Governance. *International Studies Quarterly* 61(4): 809–820.
- Allee, Todd, Manfred Elsig, and Andrew Ludd. 2017. The Ties between the World Trade Organization and Preferential Trade Agreements: A Textual Analysis. *Journal of International Economic Law* 20(2): 333-363.
- Alschner, Wolfgang, Julia Seiermann, and Dmitri Skougarevskiy. 2018. Text of Trade Agreements (ToTA)—A Structured Corpus for the Text-as-Data Analysis of Preferential Trade Agreements. *Journal of Empirical Legal Studies* 15(3): 648-666.
- Alter, Karen and Sophie Meunier. 2009. The Politics of International Regime Complexity. *Perspectives on Politics* 7(1): 13–24.
- Anthony, I., C. Ahlstrom, and V. Fedchenko. 2007. *Reforming Nuclear Export Controls: The Future of the Nuclear Suppliers' Group*. Oxford: Oxford University Press.
- Barak, Eitan. 2011. *Deadly Metal Rain: The Legality of Flechette Weapons in International Law*. Martinus Nijhoff Publishers.
- Barberà, Pablo. 2015. Birds of the Same Feather Tweet Together: Bayesian Ideal Point Estimation Using Twitter Data. *Political Analysis* 23(1): 76-91.
- Barnum, Miriam and James Lo. 2020. Is the NPT Unraveling? Evidence from Text Analysis of Review Conference Statements. *Journal of Peace Research* 57(6): 740–751.
- Baxter, R. R. 1977. Conventional Weapons under Legal Prohibitions. *International Security* 1(3): 42–61.

- Beauchamp, Nicholas. 2017. Predicting and Interpolating State-Level Polls Using Twitter Textual Data. *American Journal of Political Science* 61(2): 490-503.
- Bentley, Michelle. 2013. War and/of Words: Constructing WMD in US Foreign Policy. *Security Studies* 22(1): 68-97.
- Bolton, Matthew Breay, Beatrice Fihn, and Elizabeth Minor. 2017. How We Persuaded 122 Countries to Ban Nuclear Weapons. *Just Security* October 24, 2017. <https://www.justsecurity.org/46249/persuaded-122-countries-ban-nuclear-weapons/>
- Borrie, John. 2009. *Unacceptable Harm: A History of How the Treaty to Ban Cluster Munitions Was Won*. Geneva: United Nations Institute for Disarmament Research.
- Bower, Adam. 2015. Norms Without the Great Powers: International Law, Nested Social Structures, and the Ban on Antipersonnel Mines. *International Studies Review* 17(3): 347-373.
- Bower, Adam. 2017. *Norms without the Great Powers: International Law and Changing Social Standards in World Politics*. Oxford: Oxford University Press.
- Brands, Hal. 2007. Non-Proliferation and the Dynamics of the Middle Cold War: The Superpowers, the MLF, and the NPT. *Cold War History* 7(3): 389-423.
- Brem, Stefan and Kendall Stiles eds. 2009. *Cooperating Without America: Theories and Case Studies of Non-Hegemonic Regimes*. New York: Routledge.
- Bull, Hedley. 1959. Disarmament and the International System. *Australian Journal of Politics and History* 5(1): 41-50.
- Bull, Hedley. 1970. The Scope for Super-Power Agreements. *Adelphi Papers* 10(65): 1-15.
- Bull, Hedley. 1976. Arms Control and World Order. *International Security* 1(1): 3-16.
- Bueno de Mesquita, Bruce, Alastair Smith, James Morrow, and Randolph Siverson. 2003. *The Logic of Political Survival*. Cambridge: MIT Press.
- Buono, Stephen. 2020. Merely a ‘Scrap of Paper’? The Outer Space Treaty in Historical Perspective. *Diplomacy & Statecraft* 31(2): 350-372.
- Burr, William. 2014. A Scheme of ‘Control’: The United States and the Origins of the Nuclear Suppliers’ Group, 1974-1976\*. *The International History Review* 36(2): 252-276.

- Busby, Joshua. 2007. Bono Made Jesse Helms Cry: Jubilee 2000, Debt Relief, and Moral Action in International Politics. *International Studies Quarterly* 51(2): 247–275.
- Cameron, James. 2017. *The Demise of America's First Missile Defense System and the Rise of Strategic Arms Limitation*. Oxford: Oxford University Press.
- Cameron, James and Or Rabinowitz. 2017. Eight Lost Years? Nixon, Ford, Kissinger and the Non-Proliferation Regime, 1969–1977. *Journal of Strategic Studies* 40(6): 839-866.
- Carpenter, R. Charli. 2011. Vetting the Advocacy Agenda: Network Centrality and the Paradox of Weapons Norms. *International Organization* 65(1): 69-102.
- Carvin, Stephanie. 2017. Conventional Thinking? The 1980 Convention on Certain Conventional Weapons and the Politics of Legal Restraints on Weapons during the Cold War. *Journal of Cold War Studies* 19(1): 38-69.
- Chalfont, Alun. 2000. *The Shadow of my Hand: A Memoir*. London: Weidenfeld & Nicholson.
- Chan, Martiza. 2016. Non-Nuclear Weapons States Must Lead in Shaping International Norms on Nuclear Weapons: A Practitioner Commentary. *Global Policy* 7(3).
- Coe, Andrew and Jane Vaynman. 2015. Collusion and the Nuclear Nonproliferation Regime. *The Journal of Politics* 77(4): 983–997.
- Coe, Andrew and Jane Vaynman. 2020. Why Arms Control is So Rare. *American Political Science Review* 114(2): 342-355.
- Cooley, Alexander, Daniel Nexon, and Steven Ward. 2019. Revising order or challenging the balance of military power? An alternative typology of revisionist and status-quo states. *Review of International Studies* 45(4): 689-708.
- Corbett, Jack, Xu Yi-Chong, and Patrick Weller. 2019. Norm entrepreneurship and diffusion ‘from below’ in international organisations: How the competent performance of vulnerability generates benefits for small states. *Review of International Studies* 45(4): 647-668.
- Corbett, Jack, Xu Yi-chong, and Patrick Weller. 2021. *International Organizations and Small States: Participation, Legitimacy and Vulnerability*. Bristol: Bristol University Press.

Cottrell, M. Patrick. 2009. Legitimacy and Institutional Replacement: The Convention on Certain Conventional Weapons and the Emergence of the Mine Ban Treaty. *International Organization* 63(2): 217-248.

Davidson, Jason. 2006. *The origins of revisionist and status quo states*. London: Palgrave.

Deitelhoff, Nicole and Linda Wallbott. 2012. Beyond soft balancing: small states and coalition-building in the ICC and climate negotiations. *Cambridge Review of International Affairs* 25(3): 345-366.

Dunworth, Treasa. 2019. The Cold War History of the Landmines Convention. In Matthew Craven, Sundhya Pahuja, and Gerry Simpson, eds. *International Law and the Cold War*. Cambridge: Cambridge University Press. 315–336.

Egel, Naomi and Jane Vaynman. 2021. Reconsidering Arms Control Orthodoxy. *War on the Rocks*. <https://warontherocks.com/2021/03/reconsidering-arms-control-orthodoxy/>

Egel, Naomi and Steven Ward. 2022. Hierarchy, Revisionism, and Subordinate Actors: The TPNW and the Subversion of the Nuclear Order. Working Paper.

Egeland, Kjølsv. 2018. Banning the Bomb: Inconsequential Posturing or Meaningful Stigmatization? *Global Governance* 24(1): 11-20.

Eggers, Andrew and Arthur Spirling. 2014. Ministerial Responsiveness in Westminster Systems: Institutional Choice and House of Commons Debates 1832-1915. *American Journal of Political Science* 58(4): 873-887.

Erickson, Jennifer. 2015. *Dangerous Trade: Arms Exports, Human Rights, and International Reputation*. New York: Columbia University Press.

Evangelista, Matthew. 1999. *Unarmed Forces: The Transnational Movement to End the Cold War*. Ithaca: Cornell University Press.

Fehl, Caroline. 2012. *Living with a Reluctant Hegemon: Explaining European Responses to US Unilateralism*. Oxford: Oxford University Press.

Fenrick, W. J. 1990. The Conventional Weapons Convention: A Modest but Useful Treaty. *International Review of the Red Cross*. 279: 498-509.

Fewsmith, Joseph and Stanley Rosen. 2001. The Domestic Context of Chinese Foreign Policy: Does ‘Public Opinion’ Matter. In David Lampton, ed. *The Making of Chinese Foreign and Security Policy in the Era of Reform, 1978-2000*. Palo Alto: Stanford University Press.

- Finnemore, Martha and Kathryn Sikkink. 1998. International Norm Dynamics and Political Change. *International Organization* 52(4): 887-917.
- Finnemore, Martha. 2003. *The Purpose of Intervention*. Ithaca: Cornell University Press.
- Fuhrmann, Matthew. 2012. *Atomic Assistance: How 'Atoms for Peace' Programs Cause Nuclear Insecurity*. Ithaca: Cornell University Press.
- Fuhrmann, Matthew and Yonatan Lupu. 2016. Do Arms Control Treaties Work? Assessing the Effectiveness of the Nuclear Nonproliferation Treaty. *International Studies Quarterly* 60(3): 530–539.
- Gaddis, John Lewis. 1986. The Long Peace: Elements of Stability in the Postwar International System. *International Security* 10(4): 99-142.
- Garcia, Denise. 2011. *Disarmament Diplomacy and Human Security: Regimes, Norms and Moral Progress in International Relations*. London: Routledge.
- Gavin, Frank. 2012. *Nuclear Statecraft: History and Strategy in America's Atomic Age*. Ithaca: Cornell University Press.
- Gavin, Frank. 2015. Strategies of Inhibition: U.S. Grand Strategy, the Nuclear Revolution, and Nonproliferation. *International Security* 40(1): 9-4.
- Gavin, Frank. 2020. *Nuclear Weapons and American Grand Strategy*. Washington DC: Brookings Institution Press.
- Gerring, John. 2008. Case Selection for Case-Study Analysis: Qualitative and Quantitative Techniques. In Janet Box-Steffensmeier, Henry Brady, and David Collier, eds. *The Oxford Handbook of Political Methodology*. Oxford: Oxford University Press, 650–651.
- Gerzhoy, Gene. 2015. Alliance Coercion and Nuclear Restraint: How the United States Thwarted West Germany's Nuclear Ambitions. *International Security* 39(4): 91-129.
- Giddens, Anthony. 1984. *The constitution of society: Outline of the theory of structuration*. Cambridge: Polity Press.
- Gibbons, Rebecca Davis. 2018. The Humanitarian Turn in Nuclear Disarmament and the New Nuclear Prohibition Treaty. *The Nonproliferation Review* 25(1-2): 11-56.

- Gilpin, Robert. 1981. *War and Change in World Politics*. Cambridge: Cambridge University Press.
- Gottemoeller, Rose. 2020. Rethinking Nuclear Arms Control, *The Washington Quarterly* 43(3): 139-159.
- Grimmer, Justin and Brandon Stewart. 2013. Text as Data: The Promise and Pitfalls of Automatic Content Analysis Methods for Political Texts. *Political Analysis* 21(3): 267–297.
- Gurmendi Dunkelberg, Alonso. 2021. It's a Trap! Re-Thinking Samuel Moyn's Humane Beyond the North Atlantic. *Journal of International Humanitarian Legal Studies* 12(2): 345-360.
- Hamel-Green, Michael. 2016. Cooperating Regionally, Denuclearizing Globally: Multilateral Nuclear-Weapon-Free-Zones. In Jeffrey Knopf, ed. *International Cooperation on WMD Nonproliferation*. Athens: University of Georgia Press.
- Hanson, Marianne. 2018. Normalizing Zero Nuclear Weapons: the Humanitarian Road to the Prohibition Treaty. *Contemporary Security Policy* 39(3): 464-486.
- Harries, Matthew. 2017. The Real Problem With a Nuclear Ban Treaty. *Carnegie Endowment for International Peace*. March 15, 2017.
- Howse, Robert. 2021. Polemical Pacifism: The Wonkfare of Samuel Moyn. *Lawfare*. September 28. <https://www.justsecurity.org/78367/polemical-pacifism-the-wonkfare-of-samuel-moyn/>
- Hunt, Jonathan. 2013. *Into the bargain: the triumph and tragedy of nuclear internationalism during the mid-Cold War, 1958-1970*. PhD dissertation. Austin: University of Texas at Austin.
- Hurd, Ian. 2020. The Case Against International Cooperation. *International Theory* 12(4): 1-22.
- Ikenberry, G. John. 2003. Is American Multilateralism in Decline? *Perspectives on Politics* 1(3): 533-550.
- Ikenberry, G. John. 2011. *Liberal Leviathan: The Origins, Crisis, and Transformation of the American World Order*. Princeton: Princeton University Press.
- Jackson, Patrick Thaddeus and Ronald Krebs. 2007. Twisting Tongues and Twisting Arms: The Power of Political Rhetoric. *European Journal of International Relations* 13(1): 35–66.

Jepperson, Ronald, Alexander Wendt, and Peter Katzenstein. 1996. Norms, Identity, and Culture in National Security. In Peter Katzenstein, ed. *The Culture of National Security: Norms and Identity in World Politics*. New York: Columbia University Press.

Jervis, Robert. 1990. *The Meaning of the Nuclear Revolution*. Ithaca: Cornell University Press.

Kalshoven, Frits. 1975. The Conference of Government Experts on the Use of Certain Conventional Weapons, Lucerne. 24 September-18 October, 1974. *Netherlands Yearbook of International Law*.

Katzenstein, Peter. 1996. Introduction. In Peter Katzenstein, ed. *The Culture of National Security: Norms and Identity in World Politics*. New York: Columbia University Press.

Keohane, Robert. 1986. Reciprocity in International Relations. *International Organization* 40(1): 1-27.

King, Gary, Jennifer Pan, and Margaret Roberts. 2013. How censorship in China allows government criticism but silences collective expression. *American Political Science Review* 107: 1-18.

Kmentt, Alexander. 2021. *The Treaty Prohibiting Nuclear Weapons: How It Was Achieved and Why It Matters*. London: Routledge

Knopf, Jeffrey. 1998. *Domestic Society and International Cooperation: The Impact of Protest on US Arms Control Policy*. Cambridge, UK: Cambridge University Press.

Koremenos, Barbara, Charles Lipson, and Duncan Snidal. 2001. The Rational Design of International Institutions. *International Organization* 55(4): 761-799.

Krause, Keith and Andrew Latham. 1998. Constructing Non-Proliferation and Arms Control: The Norms of Western Practice. *Contemporary Security Policy* 19(1): 23-54.

Kreps, Sarah. 2018. The Institutional Design of Arms Control Agreements. *Foreign Policy Analysis* 14(1): 127-147.

Kreps, Sarah, Elizabeth Saunders, and Kenneth Schultz. 2018. The Ratification Premium: Hawks, Doves, and Arms Control. *World Politics* 70(4): 479-514.

Krisch, Nico. 2005. International Law in Times of Hegemony. *European Journal of International Law* 16(3): 369-408.

- Krisch, Nico. 2014. The Decay of Consent: International Law in an Age of Global Public Goods. *American Journal of International Law* 108(1): 1-40.
- Kroenig, Matthew. 2010. *Exporting the Bomb: Technology Transfer and the Spread of Nuclear Weapons*. Ithaca: Cornell University Press.
- Lauderdale, Benjamin and Alexander Herzog. 2016. Measuring Political Positions from Legislative Speech. *Political Analysis* 24(3): 374-394.
- Lavar, Michael, Kenneth Benoit, and John Garry. 2003. Extracting Policy Positions from Political Texts Using Words as Data. *American Political Science Review* 97(2): 311-331.
- Lederer, Edith. 2020. US Urges Countries To Withdraw From UN Nuke Ban Treaty. *Associated Press*. October 21, 2020.
- Legvold, Robert. 2009. The Role of Multilateralism in Russian Foreign Policy. In Elana Wilson Rowe and Stina Torjesen, eds. *The Multilateral Dimension in Russian Foreign Policy*. London: Routledge.
- Lissner, Rebecca. 2021. *The Future of Strategic Arms Control*, Washington DC: Council on Foreign Relations.
- Long, Tom. 2017. Small States, Great Power? Gaining Influence Through Intrinsic, Derivative, and Collective Power. *International Studies Review* 19(2): 185–205.
- Lucas, Christopher et al. 2015. Computer-Assisted Text Analysis for Comparative Politics. *Political Analysis* 23(2): 254-277.
- Lynn-Jones, Sean. 1995. Offense-Defense Theory and Its Critics. *Security Studies* 4(4): 660-691.
- Lyon, Rod. 2017. The Nuclear Ban Cometh ... Unfortunately. *Australian Institute of International Affairs*. July 6, 2017.  
<http://www.internationalaffairs.org.au/australianoutlook/the-nuclear-ban-cometh-unfortunately/>
- Maddock, Shane. 2010. *Nuclear Apartheid: The Quest for American Atomic Supremacy from World War II to the Present*. Chapel Hill: The University of North Carolina Press.
- Manathunga, Catherine. 1996. The Evolution of Irish Disarmament Initiatives at the United Nations, 1957-1961. *Irish Studies in International Affairs* 7: 97-113.

- Mantilla, Giovanni. 2019. Social pressure and the making of wartime civilian protection rules. *European Journal of International Relations* 26(2): 443-468.
- Mantilla, Giovanni. 2020. *Lawmaking Under Pressure: International Humanitarian Law and Internal Armed Conflict*. Ithaca: Cornell University Press.
- Mantilla, Giovanni. 2022. Deflective Cooperation: Social Pressure and Forum Management in Cold War Conventional Arms Control. Working Paper.
- Maurer, John. 2017. *An Era of Negotiation: SALT in the Nixon Administration 1969-1972*. PhD dissertation. Washington DC: Georgetown University.
- Maurer, John. 2022. *Competitive Arms Control: Nixon, Kissinger, and SALT, 1969-1972*. New Haven: Yale University Press.
- Mearsheimer, John. 2001. *The Tragedy of Great Power Politics*. New York: W. W. Norton.
- Miller, Nicholas. 2018. *Stopping the Bomb: The Sources and Effectiveness of US Nonproliferation Policy*. Ithaca: Cornell University Press.
- Morse, Julia and Robert Keohane. 2014. Contested multilateralism. *Review of International Organizations* 9(4): 385-412.
- Moyn, Samuel. 2021. *Humane: How the United States Abandoned Peace and Reinvented War*. New York: Farrar, Straus and Giroux.
- Muller, Harald. 2013. Introduction: Where It All Began. In Harald Muller and Carmen Wunderlich, eds. *Norm Dynamics in Multilateral Arms Control*. Athens: University of Georgia Press.
- Musto, Ryan. 2017. A Desire so Close to the Hearts of all Latin Americans': Utopian Ideas and Imperfections Behind Latin American's Nuclear Weapon Free Zone. *Bulletin of Latin American Research* 37(2): 160-174.
- Myrdal, Alva. 1976. *The Game of Disarmament: How the United States and Russia Run the Arms Race*. New York: Pantheon Books.
- Neack, Laura. 2017. Searching for Middle Powers. *Oxford Research Encyclopedia of Politics*.
- Nelson, Stephen and Peter Katzenstein. 2014. Uncertainty, Risk, and the Financial Crisis of 2008. *International Organization* 68(2): 361-392.

- Neumann, Iver and Sieglinde Gstöhl. 2006. Lilliputians in Gulliver's World? in Christine Ingebritsen et al. eds. *Small States in International Relations*. Seattle: University of Washington Press.
- O'Neill, Barry. 2006. Nuclear Weapons and National Prestige. Cowles Foundation Discussion Paper 1560. Yale University.
- Quester, George. 1972. Soviet Policy on the Nuclear Non-Proliferation Treaty. *Cornell International Law Journal* 5(1): 17-34.
- Panke, Diana. 2012. Dwarfs in international relations: how small states make their voices heard. *Cambridge Review of International Affairs* 25(3): 313-328.
- Parker, Sarah. 2007. Analysis of States' Views on an Arms Trade Treaty. United Nations Institute for Disarmament Research.
- Parks, W. Hays. 1990. The Protocol on Incendiary Weapons. *International Review of the Red Cross* 279: 535-550.
- Parks, W. Hays. 2005. Conventional Weapons and Weapon Reviews. *Yearbook of International Humanitarian Law* 8: 55-142.
- Parks, W. Hays. 2006. Means and Methods of Warfare. *George Washington International Law Review* 38(3): 511-542.
- Payne, Rodger. 2001. Persuasion, Frames and Norm Construction. *European Journal of International Relations* 7(1): 37-61.
- Petrova, Margarita. 2007. *Leadership Competition and the Creation of Norms: A Cross-National Study of Weapons Restrictions*. PhD dissertation. Ithaca: Cornell University.
- Petrova, Margarita. 2016. Rhetorical Entrapment and Normative Enticement: How the United Kingdom Turned From Spoiler Into Champion of the Cluster Munition Ban. *International Studies Quarterly* 60(3): 387-399.
- Potter, William and Sarah Bidgood. 2018. Lessons for the Future. In Sarah Bidgood and William Potter, eds. *Once and Future Partners: The US, Russia, and Nuclear Non-proliferation*. London: Routledge.
- Pouliot, Vincent. 2016. *International Pecking Orders: The Politics and Practice of Multilateral Diplomacy*. Cambridge: Cambridge University Press.
- Price, Richard. 1998. Reversing the Gun Sights: Transnational Civil Society Targets Land Mines. *International Organization* 52(3): 613-644.

- Prokosch, Eric. 2021. The Development of the Convention on Conventional Weapons, 1971-2003. *Article 36*.
- Rappert, Brian. 2006. *Controlling the Weapons of War: Politics, Persuasion, and the Prohibition of Inhumanity*. London: Routledge.
- Reddie, Andrew. 2019. *Governing Insecurity: Institutional Design, Compliance, and Arms Control*. PhD Dissertation. Berkeley: University of California, Berkeley.
- Ritchie, Nick and Kjølsv Egeland. 2018. The Diplomacy of Resistance: Power, Hegemony and Nuclear Disarmament. *Global Change, Peace & Security* 30(2): 121-141.
- Ritchie, Nick. 2019. A hegemonic nuclear order: Understanding the Ban Treaty and the power politics of nuclear weapons. *Contemporary Security Policy* 40(4): 409-434.
- Roach, J. Ashley. 1984. Certain Conventional Weapons Convention: Arms Control or Humanitarian Law? *Military Law Review* 105: 3-72.
- Roberts, Margaret, Brandon Stewart, and Dustin Tingley. 2014. stm: R Package for Structural Topic Models. *Journal of Statistical Software* 10(2): 1-40.
- Roberts, Margaret et al. 2014. Structural Topic Models for Open-Ended Survey Responses. *American Journal of Political Science*. 58(4): 1064-1082.
- Rosert, Elvira. 2019. Saliency and the Emergence of International Norms: Napalm and Cluster Munitions in the Inhumane Weapons Convention. *Review of International Studies* 45(1): 77-99.
- Ruggie, John. 1992. Multilateralism: The Anatomy of an Institution. *International Organization* 46(3): 561-598.
- Sandoz, Yves. 1998. *The International Committee of the Red Cross as guardian of international humanitarian law*. Geneva: International Committee of the Red Cross.
- Saunders, Elizabeth. 2019. The Domestic Politics of Nuclear Choices— A Review Essay. *International Security* 44(2): 146-184.
- Schelling, Thomas and Morton Halperin. 1961. *Strategy and Arms Control* New York: Twentieth Century Fund.
- Schneider, Jonas and Gene Gerzhoy. 2016. Correspondence: The United States and West Germany's Quest for Nuclear Weapons. *International Security* 41(1): 182-185.

- Shaker, Mohamaed. 1980. *The Nuclear Nonproliferation Treaty: Origins and Implementation 1959-1979*. New York: Oceana Publications.
- Small Arms Survey. 2002. *Small Arms Survey 2002: Counting the Human Cost*. Geneva: Small Arms Survey.
- Smith, Thomas. 2010. Can Human Rights Build a Better War? *Journal of Human Rights* 9(1): 24-44.
- Snyer, Sarah, Anne Konhauser, Jana Lipman, Tejasvi Nagaraja, and Scott Sagan. 2022. H-Diplo | ISSF Roundtable 13-10. May 23. <https://issforum.org/to/ir13-10>.
- Spirling, Arthur. 2012. U.S. Treaty Making with American Indians: Institutional Change and Relative Power, 1784–1911. *American Journal of Political Science* 56(1): 84-97.
- Spivak, Gayatri. 1996. *The Spivak reader: selected works of Gayatri Chakravorty Spivak*. Donna Landry and Gerald MacLean, eds. New York: Routledge.
- Steinberg, Richard. 2002. In the Shadow of Law or Power? Consensus-Based Bargaining and Outcomes in the GATT/WTO. *International Organization* 56(2): 339-374.
- Tannenwald, Nina. 2013. Justice and fairness in the nuclear nonproliferation regime. *Ethics & International Affairs* 27(3): 299–317.
- Tannenwald, Nina. 2020. Life beyond Arms Control: Moving toward a Global Regime of Nuclear Restraint & Responsibility *Dædalus* 149(2): 205-221.
- Timerbaev, Roland. 1999. *Russia And Nuclear Nonproliferation, 1945-1968*. Moscow: Nauka. Translated from Russian to English by Brian Rich and Jonathan Hunt. 2017.
- Van Evera, Stephen. 1999. *Causes of War: Power and the Roots of Conflict*. Ithaca: Cornell University Press.
- Vaynman, Jane. 2014. *Enemies in Agreement: Domestic Politics, Uncertainty, and Cooperation between Adversaries*. PhD dissertation. Cambridge: Harvard University.
- Vital, David. 1967. *The Inequality of States: A Study of the Small Power in International Relations*. London: Clarendon Press.
- Waltz, Kenneth. 1979. *Theory of International Politics*. Reading, Massachusetts: Addison-Wesley Publishing Company.

- Wan, Wilfred. 2013. *Institutional Change and the Nuclear Non-Proliferation Regime*. PhD Dissertation. Irvine: University of California, Irvine.
- Warnke, Paul. 2018. Peaceful nuclear explosions: from the Limited Test-Ban Treaty to the Non-Proliferation Treaty. In Sarah Bidgood and William Potter, eds. *Once and Future Partners: The US, Russia, and Nuclear Non-proliferation*. London: Routledge. 79-116.
- Weiss, Leonard. 2003. Nuclear-weapon states and the grand bargain. *Arms Control Today* 33(10): 21-25.
- Wendt, Alexander. 2001. Driving with the Rearview Mirror: On the Rational Science of Institutional Design. *International Organization* 55(4): 1019-1049.
- Williams, Heather. 2018. Strategic Stability, Uncertainty and the Future of Arms Control, *Survival* 60(2): 45-54.
- Wisotzki, Simone. 2009. Between Morality and Military Interests: Norm Setting in Humanitarian Arms Control. Report No. 92. Peace Research Institute Frankfurt.
- Witt, John Fabian. 2021. Oh, the Humanity. *Just Security*. September 8. <https://www.justsecurity.org/78135/oh-the-humanity/>
- Wohlforth, William. 2009. Unipolarity, Status Competition, and Great Power War. *World Politics* 61(1): 28-57.
- Wolfsthal, Jon. 2017. Second Time is Not a Charm for the Nuclear Ban Treaty. *Arms Control Wonk*. June 29, 2017. <https://www.armscontrolwonk.com/archive/1203455/second-time-is-not-a-charm-for-the-nuclear-ban-treaty/>.
- Wolfsthal, Jon. 2020. Why Arms Control? *Dædalus* 149(2): 101-115.
- Young, Oran. 2017. *Governing Complex Systems: Social Capital for the Anthropocene*. Cambridge: MIT Press.
- Zagorski, Andrei. 2009. Multilateralism in Russian foreign policy approaches. In Elana Wilson Rowe and Stina Torjesen, eds. *The Multilateral Dimension in Russian Foreign Policy*. London: Routledge.
- Zald, Meyer. 1996. Culture, Ideology, and Strategic Framing. In Doug McAdam, John McCarthy, and Mayer Zald, eds. *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*. Cambridge: Cambridge University Press.

