Approaching a Global Arms Trade Treaty

Norm building in small arms control

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Abstract

The upcoming negotiations on a global Arms Trade Treaty in July, 2012 mark a new development within arms control regimes. This thesis seeks to investigate the prospects and challenges towards the achievement of an Arms Trade Treaty. In doing so, it will adopt an ideational analysis in order to investigate the emergence of norms in small arms and how these have the potential to affect policy outcomes. The theoretical framework consists of constructivism in international relations and the human security discourse which offer some useful insights as to the emergence of these norms. Additionally, competing norms in relation to small arms will be analysed so as to illustrate the competitive climate in which this issue dwells and offer some discernment on the complexity of security issues in multilateralism.

In order to fully understand human security initiatives such as the small arms campaign, a concise comparative analysis of the landmine ban is conducted to explore any potential lessons and direction this may offer. This study finds that the prospect of a robust and inclusive Arms Trade Treaty is faced with huge normative hurdles. The widespread opposition by actors at different levels will more than likely result in a watered-down treaty.

*Key words:* norm building, small arms, Arms Trade Treaty, human security, international relations

Words: 9958
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## Abbreviations

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<th>Acronym</th>
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<tr>
<td>ATT</td>
<td>Arms Trade Treaty</td>
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<tr>
<td>GRIP</td>
<td>Group for Research and Information on Peace and Security</td>
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<td>HSN</td>
<td>Human Security Network</td>
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<td>ICBL</td>
<td>International Campaign to Ban Landmines</td>
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<td>IR</td>
<td>International Relations</td>
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<td>MANPADS</td>
<td>Man-portable Air-defence Systems</td>
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<td>NGO</td>
<td>Non-governmental organisation</td>
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<td>NRA</td>
<td>National Rifle Association</td>
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<td>OAS</td>
<td>the Organization of American States</td>
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<td>SADC</td>
<td>Southern African Development Community</td>
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<td>SALW</td>
<td>Small Arms and Light Weapons</td>
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<tr>
<td>UN</td>
<td>United Nations</td>
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<td>UNODA</td>
<td>United Nations Office for Disarmament Affairs</td>
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<td>UN PoA</td>
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1 Introduction

The proliferation of small arms and light weapons has dire consequences for mankind worldwide. Although there are no exact figures as to the total number of casualties from small arms it is emphasized in the United Nations Millennium Declaration that “the death toll of small arms dwarfs that of all other weapons systems” and cause so much harm and distress to people that they could rightly be denominated “weapons of mass destruction” (Millennium Declaration, 2000).

The weapon-related effects on development are immeasurable. They undermine human security and cause widespread violations of human rights. They have severe effects on public health and social and economic development in all regions of the world (UNODA). It is an issue which is very transnational in its nature and thus needs to attract the attention of the global community in order to be dealt with in a proper manner. The ready availability of small arms represents a tragic development which is the fruit of a long uncontrolled legal trade, the illicit arms enterprise and post-war remains of weapons and ammunition. The accessibility of these weapons in post-conflict areas have obscured the line between armed conflict and crime, and between politically and economically aggravated violence in these regions (Small Arms Survey, 2010). The issue of small arms proliferation is at the heart of human security concerns and the recent attention given to arms control regimes paint a picture of an increasingly individualized security discourse. The issue was brought to the attention of peacekeeping organizations and the international community when confronted with the devastating consequences of small arms in war-torn countries. This subsequently led to the emergence of a transnational normative agenda on the need to curb the diffusion of small arms and light weapons.

The United Nations played an important role in placing the issue of small arms on the international agenda and is currently engaged in the negotiation of a global Arms Trade Treaty, an initiative originally advanced by Nobel Prize laureates, devoted states and NGOs within the fields of arms control, development, peacekeeping and human rights. The new treaty would establish international standards to regulate the legal trade in small and major conventional arms. Advocates of the treaty are pressing for the importance that this treaty become an internationally legally binding instrument based on the obligations of states under international law (Control Arms, 2012).
1.1 Purpose and Research Question

In the light of the upcoming United Nation Conference on the Arms Trade Treaty (ATT) to be held in July 2012, this study aims to explore the potential prospects and challenges towards the achievement of this treaty. It will examine how we can understand norm-building, the human security discourse and national and international advocacy in the context of an emerging mechanism to regulate the trade in conventional arms. In contrast it will also explore the main competing norms and challenges this treaty will face such as state sovereignty, reluctant superpowers, states’ right to self-defence and self-determination as well as the big business the global arms trade represents.

The main question raised in this thesis is as follows:

- **What are the main prospects and challenges within small arms norm building in the context of a global Arms Trade Treaty?**

In seeking to answer this question this thesis will focus on the aptitude of norm building to influence the establishment of a Global Arms Trade Treaty. It will examine contrasting norms and discourses as well as other normative influences related to the development of the ATT movement such as the landmine ban campaign. By analyzing competing norms within the issue of small arms and light weapons, this study will seek some answers as to why small arms is such a sensitive subject and why efforts to control its use is met with so much opposition. It will furthermore attempt to understand and investigate the impact of powerful actors in opposition to instruments of arms control and their potential influence over the emergence of norms. Because the formation of an ATT is still in its infancy, there is a need for further scrutiny into the subject and policy arena. Little attention has been given towards norm-building in the context of the treaty and thus this thesis seeks to fill a gap in this area by exploring in detail the emergence and contestation of norms within the framework of the ATT. Documents, reports and resolutions from the UN will be analysed to consider how they reflect the global normative climate. The International Campaign to Ban Landmines (ICBL) may offer some insights as to how this type of treaty can be achieved or at least provide us with some potential lessons.
1.2 Method and Material

In order to explore these issues, the thesis will apply a qualitative text analysis consisting of an ideational analysis which is widely used within political science. The argument for this is that this type of analysis is suitable for the exploration of the emergence and the consequences of ideas. Furthermore, an argument analysis will be applied merely to assist the analysis of competing norms. More concrete this means that it will investigate competing norms within small arms control by analysing official and unofficial documents and relevant literature to determine the origins and effects of these norms and ideas and how they are reflected in international documents on the subject of small arms (Bergström & Boréus, 2005: 156). Beckman (2005) argues that political ideas shape people’s beliefs, understandings and aims and subsequently influence the course society takes in connection with political decisions (Beckman, 2005:9). With this analytical framework as a guiding tool, a concise comparative study of the landmine ban will be applied to create a more profound understanding of how norm building can lead to a practical policy outcome and whether this can be useful in the small arms debate as well.

On the subject of norm building and human security the material used in this thesis will primarily be drawn from books and articles. Newman (2001) offers a broad base for the understanding of the human security discourse. Sikkink and Finnemore (1998) stand out with their invaluable article on the dynamics of norms and political change. There is a substantial amount of literature on the emergence of norms in international relations and their impact on world politics (Hopf, 1998; Björkdahl, 2002a) as well as more exactly on the emergence and development of norms towards small arms (Garcia, 2006, 2011; Grillot, 2011). The main sources on the ATT and other initiatives related to arms control will derive from reports from international organizations and NGOs which have been retrieved from their respective websites. The most important of these are the United Nations Office for Disarmament Affairs (UNODA), United Nations General Assembly, The International Campaign to Ban Landmines (ICBL), The Small Arms Survey and Arms Control. With regards to literature on methodology this thesis will mainly use Bryman (2008), for a general guide to social research methods and Bergström & Boréus (2005) and Beckman (2005) will be useful as they are specifically focused on the analyses of ideas and texts. With regards to literature on small arms and light weapons, these subjects have been widely studied and there is an extensive amount of information available both from books and articles as well as official documents from international organizations and NGOs.
1.3 Theoretical Approach

The theoretical framework will be based upon constructivism and the ideas of norm-building in international relations theory and the sub-field of security studies. Furthermore the human security discourse is relevant here due to its significance in framing issues on a more human-centred basis. This will be useful in order to examine how norms and ideas can affect and change the attitudes and positions of states and individuals towards issues such as arms control as well as explore their impact on the development of treaties of this kind. Moreover, it will be valuable in exploring competing norms within arms trade control and small arms and how great powers and robust norms have the ability to influence and enforce norm-building.

1.4 Definitions and Limitations

It should be noted here that the Arms Trade Treaty attempts to regulate all conventional weapons, not just small arms and light weapons. However the focus of this thesis will be on the issue of small arms. Below is a short definition of what is classified as small arms and light weapons (hereafter small arms or SALW).

- **Small arms**: revolvers and self-loading pistols, rifles and carbines, assault rifles, sub-machine guns and light machine guns.
- **Light weapons**: heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-aircraft guns, portable anti-tank guns, recoilless rifles, portable launchers of anti-tank missile and rocket systems; portable launchers of anti-aircraft missile systems (MANPADS); and mortars of calibres of less than 100 mm (Small Arms Survey).
To avoid misinterpretations some of the important limitations to this study need to be highlighted. Because of the fairly recent emergence of the issue of small arms, it is not argued here that there are any firmly established norms within small arms as of yet. Instead this study aims to explore emerging norms within the field of small arms and arms control. Moreover, constructivist research often preconceives norms as being good natured. However, this is not always the case and can be empirically confirmed. Björkdahl (2002b) therefore stresses the importance to recognize the difference between the study of norms in international relations and the normative and moral considerations attached to many policy issues (Björkdahl, 2002a:22). Furthermore, this thesis deals with the debate on small arms, a very broad subject with a wide range of ideas and norms surrounding it. Evidently, due to space limitations not all aspects and issues can be included and thus arms brokering and the illicit trade will not be highlighted in detail here.

1.5 Disposition

This study will begin with a short background on the levels of action and control measures in small arms as well as a brief historical account of the ATT (Section 2). Section three will consist of the theoretical framework and thus more comprehensively deal with the concepts of constructivism, norm building and human security. The next section (4) focuses on the methodology of this thesis as well as some methodological challenges. The following section (5) consists of the analysis where competing norms will be highlighted and analyzed in the field of small arms and the ATT. This section will further be strengthened by a comparative study of the landmine ban campaign. The thesis will end with some concluding remarks and ideas on future research.
2 Background

In order to fully understand the details surrounding the Arms Trade Treaty and the issue of small arms it is imperative to outline the background story and prior initiatives leading up to the United Nations Arms Trade Treaty Conference in July 2012.

2.1 Levels of Action and control measures

Efforts to control and regulate small arms and light weapons have emerged at the local, national and international level by a wide range of actors worldwide. What makes the trade in small arms harder to curb is the fact that these goods exist in a three-level market; a controlled legal market, an unregulated grey market and an illegal black market. The grey market can consist of initially legal transfers that via a third country get shipped to states subjected to embargoes or unauthorized individuals or groups. In other words, it is the circumvention of national or international laws and exploitation of loopholes in order to supply arms to illegitimate end-users (Picarelli, 2008:459). Given the transnational nature of the problem of the diffusion of small arms the need for international rules and control measures has been promoted by states, NGOs and most noticeably the United Nations (Small Arms Survey, 2012). Amongst these regulatory aspirations is the urge for greater transparency in the arms trade. There is limited data available on arms supply and transfers and this also makes it harder to estimate the magnitude of the illicit market (Lumpe, 1999). In 2001 the UN hosted a Conference on Curbing Illicit Trafficking of Small Arms and Light Weapons in All of its Aspects which resulted in a Programme of Action providing the framework for activities to counter the illicit trade in such arms. The Programme of Action (PoA) can be seen as the precursor to the Arms Trade Treaty, albeit only a politically binding agreement and limited to the illicit trade in small arms. Despite this, it is the most comprehensive international effort thus far with regards to the trade in small arms and has created a space for exchanging information and normative positions between states and NGOs (UNPoA).

Moreover, some regional efforts have emerged in different parts of the world. In Latin America, the Organisation of American States (OAS) established the Inter-American Convention Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives and Related Materials in 1997 as a response to
the growing awareness as to the destructive effects of the spread of these weapons. In the text of the treaty they state their concern with the illicit trade in firearms “...due to the harmful effects of these activities on the security of each state and the region as a whole, endangering the well-being of peoples, their social and economic development, and their right to live in peace” (OAS). In Africa similar arrangements have been made such as the Protocol on the Control of Firearms, Ammunition and Other Related Materials in the Southern African Development Community (SADC) Region in 2001 and the legally binding Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa in 2004 (GRIP). Another effort worth mentioning here is the EU Code of Conduct on Arms Exports, an agreement of common criteria involving arms exports from the EU such as respecting UN sanctions and human rights in the destination country (EU Code of Conduct on Arms Export, 1998).

The idea behind an Arms Trade Treaty (ATT) was first developed by Nobel Peace Laureates, most notably Óscar Arias, the former President of Costa Rica. It was noted that the destructive effects of the arms trade create global problems, problems for which a global solution is necessary. The idea was supported by Global Civil society organisations and social movements worldwide (Control Arms, 2012). These groups, together with a number of dedicated governments were concerned with the lack of internationally agreed standards on the transfer of arms. As a result, in 2006 the UN called for international negotiation on a potential Global Arms Trade Treaty and since then there have been several multilateral meetings and conferences on the subject. It has to be emphasized that negotiations on an ATT is not an instrument for disarmament but rather an instrument for arms trade regulation, a detail frequently stressed by member-states in their statements on the ATT (UNGA, 2007). It was decided by the General Assembly of the UN that members meet in 2012 "to elaborate a legally binding instrument on the highest possible common international standards for the transfer of conventional arms" (UN Resolution 64/48). A common denominator of these initiatives is the call for an inclusion of human rights and humanitarian concerns regarding the transfer of arms and for what purpose they are intended (Hartung, 2008). The UN has decided that the conference will take place in an open and transparent manner, based on consensus, to deliver a sound and robust treaty and taking into account the positions of the member states. The response from states has been mixed much due to the legitimate purpose of small arms yet most countries are positive towards an ATT.
3 Theoretical Framework

3.1 Constructivism in International Relations

Constructivism in international relations theory is mainly concerned with norms and ideas and how these influence actors and identities in international politics. It offers a broad range of alternative insights to central issues within this field and the prospects for change in global politics (Hopf, 1998). The importance of constructivism has grown principally as a result of the inability of dominating theories within international relations (neorealism, neoliberalism) to fully recognize the impacts of ideational phenomena and the influence of norms on political outcomes (Björkdahl, 2002b).

As mentioned above, constructivism is more concerned with the emergence of norms and ideational factors in international relations and global governance than the more orthodox military and power-centred security discourse. It argues that security implies much more than national defence and protection from external military threats. For constructivists the international structure is a socially and historically contingent phenomenon, i.e. something that has been constructed and would not otherwise exist. Unlike neorealists, they argue that this “structure” is in fact a result of social practice rather than something given and unquestioned (Wendt, 1992). In the words of Björkdahl (2002a:26) “social constructivism is ontologically about the social construction of reality and epistemologically about the social construction of meaning, including knowledge”.

Constructivists perceive the realist homogenous meaning of national interests and security as misrepresentative as it is impossible to assume that the sources of threats and states’ interests in world politics are universal. A constructivist would rather argue that they depend on the cultural, historical and political context. Because they claim that behaviour, interests, and liaisons are socially constructed they are consequently subject to change. Therefore, constructivists argue that political decisions made by states are based upon identity and norms, i.e. their perception of what constitutes legitimate behaviour by actors of certain identities (McDonald, 2008:60-66). Realists would argue that due to certain behaviour or events something can be seen as an objective threat. Constructivists on the other
hand view identities and practices as the key determination of threats and no objective meaning to conduct exist (Hopf, 1998). Security in this sense cannot be seen as an external reality but rather as continuously being constructed and reconstructed. Hopf (1998) takes US – Soviet relations during the Cold War as an example. The US regarded the USSR as a threat to American values and identity due to its communist ideals, thus the US saw itself as anti-communist and an international and national guardian of American values which stood in opposition to communism and this was widely reflected in their foreign policies. However, this was not a universal and objective perspective. Western Europe was less affected by the ideology of the Soviet Union and more with Russian dominance on the European continent and considered their affairs in the Third World from a perspective of their colonial past or their business interests. This is an example of how “national interests” vary significantly amongst states and have to be understood in a particular context and through a particular identity. The point with this example is to illustrate how constructivism can offer an explanation of how ideas and norms can affect the decisions made by states or people and their stance in certain debates or world affairs. This brings us to the next part of the theoretical framework, more precisely the emergence of norms.

3.2 Norm building

The universally agreed definition of norms is “as a standard of appropriate behaviour for actors with a given identity” (Sikkink & Finnemore, 1998). Björkdahl (2002b) further concretizes this definition of norms as what appropriate behaviour ought to be and describes them as “social structures consisting of intersubjective understandings of appropriate behaviour in the international community” (Björkdahl, 2002a:43). In other words, norms can be seen as reflecting values and identities which consequently provide states with the legitimacy and effectiveness to pursue their interests and preferences. The importance of norm-building in international politics has long been prominent within the constructivist strand of international relations. Sikkink and Finnemore (1998) identify three phases of norm-building: the emergence of a norm, the point at which the norm starts influencing the behaviour of actors and finally the phase where norms become institutionalised. It is not evident however that a norm will pass through all these stages. Some issues do not succeed in raising enough awareness or are met with strong opposition from powerful actors (Grillot, 2011).

Ideas and norms are promoted by norm entrepreneurs. These are actors particularly committed to specific ideas or values, motivated by social change and the potential to influence the behaviour or opinion of others. By and large, norm
entrepreneurs are usually involved in social movements, non-governmental organisations, international organisations or merely dedicated individuals (Björkdahl, 2002:44). However, Björkdahl (2002b) argues in a similar vein to that of Wendt (1999), that devoted states have also been known to promote issues they feel strongly about in particular in the area of peace and security. Some examples are norms related to states’ neutrality and prohibition regimes with regards to nuclear weapons. Furthermore, in international politics states are still the most prominent actors in matters involving security and as channels of exchange in information and negotiation (Björkdahl, 2002a:47).

Common traits amongst norm entrepreneurs are that they seek political support and mobilize popular opinion; they facilitate the formation of harmonious movements in other regions and work towards raising awareness and attracting transnational attention towards their cause (Nadelmann, 1990). An essential building-bloc of norm building consists of the ability of norm entrepreneurs to influence policy outcomes. There are different dimensions of power which can be used as tools for advocacy by norm entrepreneurs. Often in the absence of traditional power, other techniques must be implemented which can largely be described as measures of soft power. The concept of soft power was originally coined by Joseph Nye (1990) as a contrast to hard power which would entail some sort of coercion or forceful persuasion. Soft power can include knowledge resources, technical expertise, social skills and moral authority (Björkdahl, 2002a:49). Nye develops the concept further by maintaining that “Seduction is always more effective than coercion, and many values like democracy, human rights, and individual opportunities are deeply seductive” (Nye, 2004:x).

This brings us back to the concept of identity, another important part of norm building. The argument here is that the perceived identity of a state influences its behaviour and preferences. This identity is based on states’ beliefs of their social category in the international community and through mechanisms of socialization countries can be persuaded to adhere to norms which subsequently can lead to the diffusion of a norm in an international arena. The reasons for this can be described as due to aspects of legitimate behaviour, conformity and esteem (Sikkink & Finnemore, 1998). In other words, countries can be seen as wanting to belong to a certain normative community of nations.

3.2.1 Human Security

In traditional security studies the main referent object is the state. The state is the central figure in international affairs and national security is the most important objective (Morgan, 2007:14). In this view, the world is epitomized by an anarchic state system where states compete to maximize gains and power (Newman, 2001). The term human security is a relatively new concept within the disciplines of
security studies and international relations but it stems from much older philosophical and political approaches such as liberalism which in theory is concerned with the interests of individuals (Kerr, 2007:92). There are conflicting views as to the origin of the concept. Some say it came out of the 1994 UNDP Human Development Report and its main architect, the academic and politician Mahbub ul Haq (UNDP, 1994). Others argue that the concept of human security came much earlier but the timing to reach out to a broader public was much better in 1994 facilitated by the end of the Cold War. Inevitably in recent years and fuelled by an increasingly globalized world, it has become clear that there is a need to broaden the security agenda. There are many more “real” security threats emanating from poverty, inequality, environmental concerns, national government failure and corruption than from external military threats (Newman, 2001). The inclination to move away from a static state-centric view of security has been reflected in the international acceptance of the inclusion of human security concerns within the agenda-setting and policy-making in the UN and exemplifies the impacts of values and norms in international relations. According to Newman (2001) human security seeks to fill the gap where traditional security conceptions are not enough to address the threats to individual security or human well-being. In other words, human security can be seen as a complementary strand to state-centric security theories and not necessarily an opposing view. Many scholars in support of a more human-centred security discourse would agree that the state is still an important actor, although its role should be limited to the route through which international activities and negotiations flow (Axworthy, 1998:451). The process of negotiating human security regimes is essentially an exercise in creating and promoting new international norms. Therefore, the human security discourse is very relevant when exploring the emergence of norms and their consequences on the small arms issue as well as the prospects for a global Arms Trade Treaty.
4 Methodology

This thesis will apply a qualitative method of textual analysis. The aim is to analyze texts, documents and arguments within arms control and small arms to explore how norms affect the content and political messages these represent. When analyzing official documents deriving from organizations there is a need to take a few matters into account. Documents can be seen as a means of attaining an understanding of the organization at hand and how it operates in a certain domain. However, in order to fully understand the content and message of these documents, it is useful to have other sources of information so as to understand something about the underlying reality these documents attempt to portray (Bryman, 2008:527). In this case, other studies on arms control and the ATT have been scrutinized so as to get a broader picture of the control regime. The ontological position this study adopts is that of constructivism as it regards social phenomena as being the product of social action and practice and is in a state of constant revision (Bryman, 2008:19).

I have chosen to apply both an ideational analysis as well as an argument analysis to this study. A combination of a textual analysis of official and more informal documents pertaining to the subject will assist this study in its search for competing norms within the issue of small arms. The reasons for this will be motivated in the following sections.

4.1 Ideational Analysis

The choice of method for this thesis is that of an ideational analysis, an analytical tool widely applied within the field of political science. Political ideas and norms are the product of social, economic or intellectual processes in a society at a certain point in time (Beckman, 2005:80). The motivation for this choice of method is that this study adopts a constructivist perspective and aims to explore political ideas and norms and how they render practical policy outcomes. It is also useful when examining the origin of specific political ideas (Bergström & Boréus, 2005:156). More concrete, this will be applied to the emergence of norms within arms control and small arms and how these evolving norms have come to impact policy results. The theoretical framework, consisting of constructivism in international relations, norm building and the human security discourse will assist the analysis by examining how for instance the emergence of norms related to human security have shaped the establishment of new institutions and treaties and
if there are any parallels to be drawn to the campaign towards an Arms Trade Treaty. This choice of method is further relevant because of the close relationship between the study of ideas and politics. Ideas constitute a central power purpose and power is the core of politics thus it is imperative to understand ideas when exploring politics (Bergström & Boreus, 2005:177).

4.2 Argument Analysis

This study will strengthen its analytical value by employing an argument analysis in addition to the aforementioned ideational analysis. An argument analysis can be useful when examining the value and meaning of certain argumentative features of a text or a debate (Bergström & Boreus, 2005:145). Political messages and ideas are generally twofold, i.e. they have arguments in their favour and arguments against their cause (Beckman, 2005:38). Conducting an argument analysis facilitates the understanding of these different perspectives and the context in which they dwell. By looking at competing norms within the small arms debate and comparing it to other successful regimes such as the Landmine Treaty, the main components and challenges of an ATT can be analyzed so as to explore its feasibility.

4.3 Methodological Challenges

A major challenge of this study is the complexity involved in measuring the effects and consequences of ideas and norms on policy outcomes. It is important not to become too speculative or subjective. There are many contrasting empirical studies which argue both for and against the argument that norms have great influence on international policy. As Björkdahl (2002:33) argues, the importance of tracing a process cannot be underestimated when attempting to study the impact of norms and ideas and why or when they matter. I would argue that timing and the international context is of great importance when studying the emergence of norms and this will be taken into account in this study.
5 Analysis

This analysis will begin with exploring the emergence of norms within small arms. This is followed by a brief study of human security regimes, more precisely a comparative study of the landmine ban. Subsequently, the most notable contrasting norms within small arms will be highlighted and analyzed. This section ends with a brief summary of the findings.

5.1 Norm building within small arms

With this study’s theoretical background, it is quite safe to claim that norm building is essential for the creation of various institutions within humanitarian arms control. Because constructivism embraces a vision of change it is a very relevant and practical framework to investigate the development of the human security discourse as a new ideational strand within security studies. The human security discourse assisted norm building within arms control by emphasising the need for disarmament and arms control due to their distressing consequences on human security worldwide. Humanitarian arms control and the human security discourse developed simultaneously and share the commitment to place their principal weight on the well-being and protection of the individual human-being (Wisotzki, 2009). Seeing as norm-building with regards to small arms is a fairly new development it can be debated whether there actually exist any institutionalized norms in relation to small arms. Since the end of World War II, the emergence of multilateralism, democratic values and the need to control the use of force so as to avoid a repetition of the world wars were all contributing factors to the birth of the arms control regime (Garcia, 2006:141). Multilateralism entails a commitment to cooperate amongst states and to create common norms and values regarding international affairs and global problems (Kaldor, 2007:188). Embedded into constructivist perspectives is the idea of the socially constructed world. This would imply that the social system in which international negotiation and cooperation takes place provides guidelines for what constitutes appropriate behaviour. The choice of appropriate behaviour by states is the base on which their actions rest and usually entails some sort of collective moral conviction (Sikkink & Finnemore, 1998).

In the 1990s various accounts of the problems associated with the proliferation of small arms were highlighted by researchers, activists and NGOs. These problems
were articulated as pertaining to the vast global availability of these arms, the issue of arms brokering and the transfers to non-state actors. Some of these matters have gathered much international support and have evolved into internationally accepted normative conduct, particularly with regards to the restriction of arms brokering and the destruction of surplus weapons. One world event that stimulated the emergence of these norms was the genocide in Rwanda in 1994 which was said to have been triggered by the arrival of illicit arms deliveries as a result of arms brokering (Garcia, 2006:91).

Nevertheless, the debate on small arms is complex. Small arms have various legitimate purposes within the police force, the military, the security sector and for hunting (McDonald, 2007:17). As a consequence any treaty that seeks to control its spread and use will face much more difficulty than a full prohibition regime (such as the landmine ban). Different actors have different relations and attitudes towards small arms which creates a challenging climate for negotiation.

5.2 Human security in practice

The concept of individualized security and the Campaign to Ban Landmines were highly influential in the growing awareness of the widespread availability of small arms and light weapons worldwide which began largely in the 1990s. The post Cold War era saw a shift in the state-centred perspective of security which was reflected in the various conferences and multilateral agreements on humanitarian affairs that became the fruit of that decade. The inclusion of NGOs in some of these rounds of negotiation further revealed the changing international political climate and although these have no traditional power they embody different dimensions of soft power which they apply by using knowledge resources, values and moral authority to promote their cause (Krause, 2008). In much of the official documentation deriving from the United Nations on small arms and the Arms Trade Treaty, there is an embedded human security perspective which again reflects the well-established notion of a more humanitarian view of security and threats. Several of the reports of the United Nations Preparatory Committee on the Arms Trade Treaty illustrate this point. In several places it states its objective to “contribute to international and regional peace, security and stability by preventing international transfers of conventional arms that contribute to or
facilitate: human suffering, serious violations of international human rights law and international humanitarian law, violations of United Nations Security Council sanctions and arms embargoes and other international obligations, armed conflict, the displacement of people, transnational organized crime, and terrorist acts, and thereby undermine peace, reconciliation, safety, security, stability and sustainable social and economic development” (UN PrepCom, 2012). These reports further reassure their respect for international humanitarian law and human rights law (UN Res. 63/240). These are all expressions which echo the objectives of the human security discourse and in many ways represent the widespread impact this re-orientated security perspective has had on the language of the international community and the establishment of new international norms.

5.2.1 The Landmine Ban

The landmine ban has been an important achievement for efforts to promote human security regimes and is worth a closer look in order to unearth any potential lessons for other arms control initiatives such as the ATT. The landmine ban is also interesting because it is evidence of the prospects for civil society and middle-power states to create and institutionalize global policy norms without the backing of powerful states (O’Dwyer, 2006).

The international Campaign to ban Landmines (ICBL) was launched in 1992 by a coalition of a number of devoted NGOs and led to the signing of the Ottawa Treaty in 1997 which involved the banning of the production, procurement, sale transfer and use of antipersonnel landmines. The Ottawa Treaty became a successful milestone in the domain of arms control and international cooperation in security matters but also in the inclusion of civil society in international security affairs. Many would argue that the Ottawa Treaty owes its success to the dynamics of the state-NGO cooperation (Clarke, 2008). The treaty has been ratified by 159 states and thirty-seven states have chosen not to join. Amongst the non-signatories are the two top arms exporters, the United States and Russia as well as other powerful states (China, India) (ICBL). This suggests that these super powers are reluctant to compromise on matters relating to military forces and national security. This is an indication that military power still represents an identity for these states.

The success of the landmine ban has also been traced to the manner in which it was advocated by its supporters. In contrast to small arms, the problem and the solution of landmines are clearer and as it is largely a military instrument those responsible are easier to target (states). This facilitated the framing of the issue of landmines as a human security threat and as an accepted international norm. The
non-discriminatory humanitarian effects were further manifested by countless accounts of the suffering of landmine victims creating added understanding as to its meaningless brutality and demoralizing its utility as a military instrument (Clarke, 2008). The landmine campaign is further interesting to observe because it demonstrates how norm diffusion can occur and how the international community responds to it. As the campaign attracted more and more followers, in part due to a set of regional conferences around the globe, the norm involving the landmine prohibition followed the patterned life-cycle of norms described by Sikkink and Finnemore (1998) and a norm cascade followed. Based on Sikkink and Finnemore’s claim that norms evolve as a result of what actors believe to be appropriate behavior, it must be recognized that this occurs because of what the international community perceives or judges as appropriate behavior. In other words, this norm cascade was facilitated through mechanisms of socialization. Norms influence states because states worry about being recognized as legitimate members of the international community. Consequently, states tend to conform to norms because of their perception of their identity and interests and those that do not conform tend to provoke reactions of disapproval and stigma. It is also important to realize that states hold unequal normative power on different issues and the backing of certain states can be crucial to the diffusion of a norm. The support of certain landmine producing states in the landmine ban (France, UK) can be regarded as critical to its success.

In short, the advocates for a landmine ban managed to change and affect other actors’ positions and perceptions of their interests and identities which from a constructivist point of view adds to the evidence that political decisions are based on ideas and norms.

The landmine ban can in many ways be compared to the small arms issue although it is important to understand the multifaceted differences between the two campaigns. The landmine ban concretizes the complex path in which norms of an international and political nature are constrained to. Nonetheless, the campaign was facilitated by a range of factors and contributing elements which made the campaign a successful one. Firstly, the timing and the international context was right. Globalization facilitated the expansion of new norms with new technologies and communications (Sikkink & Finnemore, 1998). The 1990s was in many ways the perfect decade with the end of the Cold War, the mushrooming of NGOs and the many multilateral agreements and conferences which took place at that time. Secondly, the recognition of the devastating effects of these weapons and the reframing of the issue as a humanitarian tragedy helped raise awareness and attract many followers to the issue. This was largely made possible by the many emerging horror stories from survivors, family members and communities affected by landmines and represent the way in which issues are being reframed within the parameters of human security. Another important aspect of the campaign was that although most issues of this kind are quite complex it was articulated in a clear and simple manner making it easy to understand the problem
and the solution. Lastly, the close cooperation between NGOs and like-minded states was a great contribution to the common goal of prohibiting landmines (Matthew et al., 2004:241-245).

To sum up the findings of the comparative analysis of the landmine ban, it can be argued that the norms working for a ban on landmines outshined other static norms pertaining to self-defence and state-sovereignty. This case illustrates the different phases which norms commonly pass through in order to become institutionalized and accepted by the broad public. It also exemplifies the power of strong advocacy and the effects of socialization on countries’ readiness to adhere to international norms. Even the countries which have not yet ratified the Ottawa Treaty have taken steps to outlaw the production and export of antipersonnel landmines thus marking the successful emergence of an international norm of a total ban on antipersonnel landmines. Conversely, the small arms debate and the ATT are subjected to considerable hurdles with regards to norm building. As mentioned earlier there are many groups and countries working towards a treaty but the opposing norms are greater than those of the landmine campaign. The next section will highlight some of these competing norms.

5.3 Competing norms within small arms

Many of the examples raised in this analysis are examples of American political behaviour and actions. The reason for this is that the United States in many ways is the most powerful country in the world with regards to economic stance, military might, and political and normative power. It is therefore an instructive and useful case to observe when it comes to exploring states’ unequal expressions of normative power and international policy.

States are not equal when it comes to normative power and power relations have proven to claim a significant role in the creation and institutionalisation of norms and ideas (Garcia, 2006:18). Power does not only disclose the basic pattern of the capabilities of states but also highlights the prime motive for the behaviour of actors in the international system. Powerful states are more likely to influence norm building than others. They have more negotiating power, more presence in international forums and can allocate more resources to their causes. Similarly, the opposition of a strong state towards an international norm can create great obstacles as to its acceptance. The identity of a “powerful state” entails a certain set of interests and these strong states have a range of methods to employ when promoting norms and justifying their actions. They can use foreign assistance and military aid as means to persuade strategic countries to become allies or take more coercive steps involving threats of force or embargoes. A clear example of this is the US War on Terror which invited states to be “..either with us or with the
terrorists” (Bush, 2001) and US allies such as Pakistan have subsequently received substantially increased US aid (De Nevers, 2007).

There are many competing norms troubling the small arms debate, strong norms already in existence long before the start of the debate. Some of the norms highlighted here pertain to state-sovereignty, self-defence, civilian gun-ownership and economic interests. Many of these stand in direct opposition to norms of human rights and human security. Grillot (2011) argues that the study of conflicting norms and the effects of norm clashes have been largely neglected and understudied. They are however important to consider when analysing what potential impact norms have to influence policy outcomes. New emerging norms face the difficulty of adaptation. They have to fit into existing normative settings and not stir things around too much in order to be successful. Taking the United States as an example, there exists a strong domestic opposition towards any kind of regulatory mechanism with regards to small arms. Consequently, any US government that tries to push for an Arms Trade Treaty will be met with much internal resistance (NRA). The same ideas and norms influence different actors in different ways all relating to their perception of their identity and expectations (Björkdahl, 2002a:72). Nonetheless, the emergence of initiatives of arms control reflects a changing political climate where even robust norms such as state-sovereignty can be subjected to transformation. The statement of the UK government on the ATT echoes this development “it is also clear that the right of States to self-defense is accompanied by the responsibilities of States to prevent threats to peace and to ensure respect for international law, including human rights and humanitarian law” (UNGA, 2007).

In its broadest sense the norms put forward here can be described as political norms (state-sovereignty, self-defence and civilian gun-ownership) and economic norms (lucrative business of the arms trade and domestic economic pressures).

5.3.1 Political norms

As mentioned earlier, the small arms issue raises some substantial complexities. Article 51 of the Charter of the United Nations asserts that all states are entitled to defend themselves against armed attacks and nothing shall impair this right to self-defence (Charter of the United Nations). References to this article are frequently made by people and states reluctant to comply with arms regulations. Norms such as state sovereignty and the right to self-determination may conflict with norms of human rights and humanitarian arms control. Attempts to gather normative strength from small arms activists have included appeals of equality of
opportunity, in this case referring to the right to live in a secure and humane environment. In contrast, pro-gun activists have responded by insisting on the equal opportunity to legitimately own firearms and appealing to the citizen right to freedom and protection (Grillot, 2011). In the debate on the ATT, the United States often refers to its domestic laws, underlining that the American constitution guarantees its citizens the right to keep and bear arms, a right they value to great extent. These arguments are in many ways superfluous given that the ATT has not set out to include rules for intrastate transfers or domestic possession. The report of the Preparatory Committee for the UN Conference on the Arms Trade Treaty reaffirms states’ right to self-defence and further recognises their sovereign right to determine regulations on domestic transfers and internal controls on civilian ownership (PrepCom, 2012). Yet, in US statements addressed to the UN Program of Action and the ATT, they make re-occurring references to their domestic laws as well as their opposition to include ammunition and the ban on transfers to non-state actors. They believe that efforts should be aimed at curbing the illicit trade in small arms and not include restrictions on the legal trade, a view they share with other powerful states such as some of the other permanent members of the Security Council (Joseph, 2006; P5 statement on the ATT, 2011). Nevertheless, many states recognize the need to control the legal market as well. The UK Government, for instance, argue that although the majority of arms dealers act responsibly, there are those traders not bothered with whether the end-users are legitimate or not and thus they maintain the need for internationally accepted standards of control (UNGA, 2007).

Perhaps the most contested norm within small arms is that of civilian gun-ownership. One of the most leading pro-gun groups is the American based NRA (National Rifle Association) and appears to have substantial influence over the issue. The NRA is relevant here because of the scope of its lobbying power. In several cases, the NRA has been involved with other pro-gun groups outside of the United States in advocating for the rights pertaining to firearms with some notable achievements in Brazil (Grillot, 2011). The NRA addressed the 3rd session of the Preparatory Committee in July of 2011 where they reiterated their demands that no proposal on civilian gun-ownership must be included in the ATT. Any potential clause on restricting civilian gun-ownership would never have been accepted by the US government at the PoA conference in 2001 and this stance has been repeated in statements directed towards the ATT in April 2012. This indicates in many ways the influence these pro-gun NGOs can have on normative change and policy outcomes (PoA, 2001; Garcia, 2006:161). However, in 2009 the Obama administration voted to support the ATT and thereby overriding the former Bush government’s opposition to the treaty and thus depicting a more promising outlook as to its application. Nonetheless, they still maintain their position on demands such as the exclusion of the trade in ammunition and whether or not they will ratify the treaty remains to be seen (Arms Control Now).
Despite the strong opposition towards the regulation of civilian gun-ownership, the arguments for controlling civilian possession are quite convincing. Most guns worldwide are owned by civilians and most of the annual casualties from small arms are civilian. In addition, many of these civilian owned arms make their way into the illicit market due to lack of secure storage and increased organised crime pertaining to arms transfers (Small Arms Survey, 2002). Many states, including the Russian Federation, have expressed their concerns regarding the problems related to civilian gun-ownership and the risk of diversion of these weapons onto the illegal market (UNGA, 2007). Regardless of these observations, it appears that norms concerned with restricting civilian gun-ownership have not succeeded in becoming institutionalised yet. Although as Garcia (2006) asserts, there is a growing motivation for an international norm on civilian gun-ownership and many states have enforced stricter domestic regulations since the establishment of the Program of Action in 2001. Some of these states and a wide array of NGOs wish to include it into multilateral agreements although as mentioned above, this will be met with strong antagonism by other actors (Garcia, 2006:162).

5.3.2 Economic norms

The arms trade represents an enormous global industry and states’ economic gains typically prevail over long-term stability matters. To put things into context, military expenditure reached an all time high in 2010 with an estimated bill of 1630$ billion worldwide (SIPRI, 2011 Yearbook). Although it has to be stated here that there are numerous limits with regards to making estimates of this kind. This is largely due to different national methods of reporting on exports and imports, the absence of standard procedures on collecting arms trade data and the confidentiality of this data in some countries which exposes the lack of transparency in the arms enterprise (Garcia, 2011:38). However the figure available show that international arms transfers have in fact increased in the last decades, marking an upward trend in the arms trade despite the ongoing global financial turmoil. Another trend in the contemporary arms business is that most of the trade goes to developing nations, the site for most current conflicts (SIPRI, 2011 Yearbook). The fact that the arms enterprise is such a lucrative business and involves a wide range of companies and nations makes it harder to curb (Hallinan, 2010). In addition corporations are awarded hidden subsidies through defence contracts negotiated by their governments and US and European arms companies receive huge tax breaks and are capable of lending capital to buyers that commit to purchasing their weapons (Global Issues) The largest arms exporters and weapons producers are also the five permanent members of the United Nations Security Council (US, Russia, France, UK and China) and the G8. Some of these powerful nations (US, China, Russia) are also the most reluctant players within arms control initiatives. This is an example of how economic pressures can impact
the positions of states in certain matters. A norm of transparency is an excellent example. Transparency in arms deals will not jeopardise national security but it might affect the arms business as some buyers wish to deal in secrecy. A more transparent official arms trade would grant it more legitimacy and the laws and decisions with regards to arms transfers would be more open to discussion. In the Cold War era, the arms trade was largely a way to secure allies. Nowadays, the arms trade represents the economic interests of states (Garcia, 2011:40).

Governments are increasingly becoming aware of the consequences of dubious arms deals and tend to feel more compelled to refuse a deal if its legitimacy is questioned (Small Arms Survey 2003). This represents an emerging norm of transparency in arms transfers worldwide. However, as mentioned above the domestic demands and pressure on the economy plays a significant role for many countries with regards to arms control. For instance, several American administrations have supported arms deals in the last decades and promoted the domestic arms industry as a practise of “keeping Americans at work” (Control Arms). Moreover, the Chinese government withdrew from talks between the permanent members of the UN Security Council on controlling the flows of weapons to the Middle East, as a result of the Gulf War, in part due to the increased Chinese role in missile production and exports. The Chinese statement on their views on the ATT includes the importance of economic interests of each country (UNGA, 2007). The Bush Administration, in the aftermath of 9/11 and in the name of the “War on Terror”, revoked restrictions on arms transfers based on human rights abuses and non-proliferation and thereby increased their weapons sales by the double (Hartung, 2008:352). These examples all reflect the economic motives behind arms transfers and how these often weigh heavier than norms of human rights and human security. Paradoxically, this means that the absence of arms controls allows some to profit from the misery of others.

To sum up this section, the small arms debate is characterised by a competitive normative environment. The statements put forward by member-states here illustrate their disinclination to surrender certain norms which they believe is part of their national identity. Economic power is a sign of a country’s position in the international community and the socioeconomic development of its people and thus not sacrificed without hesitation. Similarly, military capabilities symbolize the power identity of a country and its capability to defend itself and this “identity” has given rise to a power struggle which in short implies that security is obtained with power, in this case military power. Given the enormous defence budgets of many countries, it can be argued that military power and the acquisition of arms is more about the symbolic meaning and national prestige than the fear of actual threats. However, states’ view on the ATT also paints a picture of an increasingly broader understanding of the humanitarian effects of small arms and the diffusion of arms in general. Because the ATT is the first global attempt of this kind it remains to be seen whether norms of human security and
human rights manage to outshine its normative competitors and pave the way for the conference in July to result in a robust and inclusive Arms Trade Treaty.
6 Conclusions

This study has attempted to explore the issue of small arms proliferation and norm building in the context of an Arms Trade Treaty by applying an ideational analysis to the case and debate on small arms. It has given an account of potential challenges and prospects of norms in the field with the purpose of exploring the ATT regime. The interconnectedness of problems – and thus solutions – pertaining to human security and global stability is becoming increasingly evident amongst policy makers and the international community. Norms are in constant transformation and grow or disappear depending on the social context and international structure. The dynamics of norms indicates that even strict long-lasting norms such as state sovereignty and the right to self determination can evolve in order to fit into the normative structure within arms control. The argument analysis reveals that the small arms debate faces significant hurdles as it targets some of the most precious national interests with regards to the economy and military and national security. Norms in favour of an ATT and more regulated small arms industry have been advanced by a number of individuals, states and NGOs which has led to the ongoing international debate on the subject and rewarded it a space in the domain of multilateralism. The ever-increasing presence of civil society in international official forums has facilitated the understanding of other types of threats than those pertaining solely to the state and allowed for a broader awareness of the security issues relating to small arms and light weapons. Nonetheless, these small arms norms have been met by much opposition by a range of actors worldwide. Negotiations of this kind are never easy as there are many actors involved with different agendas. Powerful states have agreed on the need for an Arms Trade Treaty but retorted with strong demands on what should be included and excluded which could lead to a watered-down agreement. If so, supporters and advocates of an ATT will likely deem it a failure as it will have little impact on the actual problem of the diffusion and uncontrolled trade in small arms. The reluctance of states to conform to stricter arms regulations paints a picture of a world still highly realist were actors (in this case states) act in their own interest and pursue their own competitive goals of economic and political power in the international arena. On the other hand, this is a new chain of events in arms control regimes and it is an issue which is constantly gaining more ground worldwide. Consequently, the upcoming conference could yield some fruitful results or at least pave the way for stricter regulations in the future and for the future of similar human security initiatives.
As mentioned before, the Arms Trade Treaty is still in its formation phase and calls for more academic scrutiny. More research is needed with regards to arms brokering and the effects of transfers to non-state actors and the potential for these to be included in an ATT. Also the role of NGOs in multilateralism is becoming increasingly vital and thus requires further research. In the aftermath of the upcoming conference on the ATT, further investigations on norms and ideas within small arms would be useful to study to reveal any possible changes in the normative climate surrounding these issues.
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