1. Analytical framework

The question of what role critique of rule and resistance against the nuclear powers played when the non-nuclear-weapon states participated in the TPN initiative first requires clarification of two concepts: rule and resistance. We will take a closer look at them and derive suitable definitions for our analysis (1.1). We will then delve into the theoretical world of critical and post-colonial approaches (1.2) to explore the idea of the epistemic and discursive continuity of colonialism and develop six colonial imprints that help us to grasp it in concrete terms with regard to our topic: *excessive violence, eurocentrism, primacy of the state, racism, economic exploitation, patriarchal domination*. For each of them, illustrative examples are given in the context of the nuclear order.

1.1 Rule & resistance

When looking at the conceptual nature of rule and resistance, one comes across a classic topic of sociology, a discipline that deals with social orders and interactions. Our first steps towards conceptual clarification therefore lead to Max Weber (Weber 1985), who has decisively influences the understanding of rule until today. However, his focus on obedience and neglect of disobedience obscure expressions of resistance against a given (ruling) order, which are crucial for our research question. Moreover, with an excess of qualifying criteria, he sets the terminological boundary of rule so tightly that only few manifestations can be grasped with it. Therefore, the terminological considerations of Christopher Daase and Nicole Deitelhoff (Daase and Deitelhoff 2015, Daase *et al.* 2017b, Daase *et al.* 2023a, Daase and Deitelhoff 2023b) will be incorporated into our analytical framework to reduce the criteria for the definition of rule to its essence. In a second step we take a closer look at the phenomenon of resistance. Consequently, we find definitions that are broad enough to cover the entire spectrum of meanings. At the same time, they contain sufficient distinguishing criteria that give contour to the phenomena of rule and resistance in the international context.

Rule

Probably the best-known definition of rule comes from the sociologist Max Weber (Weber 1985, p. 122):

> *Herrschaft soll […] die Chance heißen, für spezifische (oder: für alle) Befehle bei einer angebbaren Gruppe von Menschen Gehorsam zu finden.*
>
> *[Rule is supposed to mean […] the chance to find obedience for specific (or: for all) commands among a specifiable group of people.]*

It makes clear that rule is closely linked to the exercise of power. This is not surprising. For Weber, however, not every form of exercising power equals rule. Rather, rule is distinguished from other ways of exercising power or influence over others, taking two parameters into account.

On the one hand, the binding nature or *permanence* that accompanies the description of rule as a relationship of command and obedience is striking. The latter may sound antiquated in the context of modern democracies. One might rather speak of laws or regulations that are enforced or respected. But the crucial point here is that the chance to obey orders (or the possibility to enforce laws or regulations) is based on a rather stable relationship between rulers and ruled. Weber elaborates on this aspect of (relative) permanence when he discusses the different types of rule, also describing variances (Weber 1985, pp. 122–124). But even in the general definition, which is valid for all types, the necessary network of relations in which power or influence is exercised is assumed when speaking of rule. By presupposing a given and, what is more, specific relationship ("specifiable group of people") rule as a form of exercising power is linked to a minimum degree of permanence. When we speak of rule, power relations are thus endowed with continuity; we are dealing with a form of institutionalized superordination and subordination.

The second parameter, which is an essential part of Weber's terminology and occupies a prominent place, is *legitimacy.* In contrast to today's understanding, Weber understands legitimacy in a neutral way, meaning the recognition or acceptance of a relationship of rule. For Weber, legitimacy (or recognition) of rule manifests itself in obedience or docility (*Fügsamkeit*) (Weber 1985, pp. 123–124), that is, in the willingness of the ruled to follow. Which form of legitimacy prevails depends on the motives out of which the ruled obey. As the decisive source of stability, these motives are crucial in Weber's typology of rule. They determine which type of rule we are dealing with. Legitimacy in the sense of the acceptance of the relationship of rule by the ruled has a twofold significance for Weber: First, it is a prerequisite for power to congeal into rule, and its justification determines its permanence. Second, Weber sees the type of legitimation as a central means of exercising rule and therefore

declares it to be the primary criterion for distinguishing between different types of rule.

Accordingly, there are three ideal types of rule. The *rational* or *legal* type is based on the belief in the legality of established orders and the right of those eligible to exercise rule through instructions (*auf dem Glauben an die Legalität gesatzter Ordnungen und des Anweisungsrechts der durch sie zur Ausübung der Herrschaft Berufenen*) (Weber 1985, p. 123). The *traditional* type is based on the sanctity of time-honored traditions and the legitimacy of those who derive their authority from them (*Heiligkeit von jeher geltender Traditionen und die Legitimität der durch sie zur Autorität Berufenen*) (Weber 1985, p. 123). The *charismatic* type is based on the extra-ordinary devotion to the holiness or heroic power or exemplary nature of a person and the order revealed or created by him or her (*außeralltäglichen Hingabe an die Heiligkeit oder die Heldenkraft oder die Vorbildlichkeit einer Person und der durch sie offenbarten oder geschaffenen Ordnungen*) (Weber 1985, p. 124). Weber is aware that these types of rule empirically never occur in pure form, but that there is always a mixed grounding of legitimacy. No rule is "content (…) with the only material or only affective or only value-rational motives as chances of its continuance" (*begnügt sich […] mit den nur materiellen oder nur affektuellen oder nur wertrationalen Motiven als Chancen ihres Fortbestandes*) (Weber 1985, p. 122).

Moreover, in the political context (as opposed, for example, to the economic) Weber emphasizes the provision of *physical force* to secure rule, referring to the monopoly of force over a given territory (Weber 1985, p. 514). Weber is primarily thinking of the modern state, which has monopolized legitimate physical violence as a means of rule within a territory. It is not necessarily the use, but rather the availability of this "specific means" (*spezifischen Mittels*) (Weber 1985, p. 514) of violence that distinguishes political rule from others. Consequently, political rule is achieved by those who consolidate their power over a longer period of time and thereby gain control over the physical exercise of force (Müller-Salo 2018, pp. 22–23). This violence ensures the "seriousness of death" (*Ernst des Todes*) (Weber 1985, p. 514), which, in Weber's view, is constitutive for the political community and generates its special cohesion compared to other communities.

The fact that Weber makes legitimacy (or recognition) the decisive characteristic of rule has far-reaching consequences for the analytical suitability of his terminology. Not every object of study requires this focus. Many classical criteria for distinguishing types of rule in political sciences, e.g. the number of rulers (monarchy, oligarchy, democracy) or their attention to the common good (philosopher-king versus tyrant) recede into the background. Certain forms of rule fall completely through the analytical grid. This is especially the case when relations of rule are unspoken or cannot be expressed (sometimes to preserve them), when their recognition as such is questionable or even denied. Or when we deal with several, diverse, partly juxtaposed, partly overlapping and contradictory relations of rule. In social reality, such heterarchical contexts and diffuse relations of rule are common. In the context of in-

ternational relations, the recognition of relations of rule is usually contested, if not denied altogether.

The emphasis on the link between (political) rule and the use of force also obscures possibilities of relations of rule at the international level, where recourse to physical violence is largely prohibited. In the absence of a monopoly on the use of force, the observation of political rule in the sphere of action of sovereign states would theoretically be ruled out. This is problematic for a practical or empirical analysis. Not only because there are numerous examples of the exercise of violence by questionable authority in global politics. We can also see very well in the international arena how power can be concentrated and consolidated in all its forms, be it economic, socio-cultural, military or political. It therefore seems advisable not to abandon the search for rule in this context, even if the use of (ruling) violence is largely taboo.

Weber's definition, however, contains also a feature that is very precious to differentiate rule from other forms of exercising power in international relations: the criterion of permanence. It can thus be distinguished from situational, spontaneous, volatile and amorphous forms of the exercise of power. Even if the basic principle of equality of states under international law applies, significant and permanent inequalities between them occur in numerous areas, which are reflected in various institutions of the international system and their decision-making (Deitelhoff and Zürn 2015, Viola *et al.* 2015). Consequently, there has long been an intense debate in the discipline of international relations (IR) about how the global sphere of action and its regulatory structures can be conceptualized (Daase *et al.* 2023b). Depending on the approach, they focus on hegemony (Ikenberry and Kupchan 1990, Ikenberry 2011, Goh 2013, Ikenberry and Nexon 2019), hierarchy (Lake 2009, Mattern and Zarakol 2016, Zarakol 2017, MacDonald 2018), status (Paul *et al.* 2014), empire (Barkawi and Laffey 2002, Barder 2015), or authority (Krisch 2017, Sending 2017, Zürn 2018). However, if one takes seriously the diversity of power differentials and norms and the various ways in which they affect the scope of action of international actors at different levels and in different policy fields, it is more accurate to adopt a broader understanding of the international order that can integrate these different approaches (Daase and Deitelhoff 2015, Daase *et al.* 2017b, Daase *et al.* 2023a).

The more inequalities between states consolidate and increase, the more the question of "rule" arises. Inequality alone, however, is not sufficient evidence of rule. Even a (permanent) unequal distribution of resources or power does not establish a relationship of rule. An advantage or disadvantage associated with unequal distribution of resources and power, affecting available options for action or even in decision-making processes, however, results in different possibilities for control and steering. Depending on how persistent and systematic these differences are in a particular context of interaction among a group of actors, inequality becomes entrenched in a more or less clear hierarchy of opportunities to influence rule-

making and enforcement. This recalls an important feature of Weber's definition of rule – the access to command.

In almost all policy fields, the number of international regulations and institutions at the regional and global level is increasing, creating a multilayered space of governance with different spheres of influence for different actors. This observation prompted a reconceptualization of "rule" in IR, which in part builds on Weber, but dispenses with certain aspects (Daase and Deitelhoff 2015, 301, 305, Daase *et al.* 2023b, pp. 14–16). The understanding of rule as a relationship of institutionalized super- and subordination is at the heart of this concept. Liability and permanence remain as important criteria for distinguishing "rule" from other forms of exercising power. Weber's association of rule with legitimacy and recognition, however, falls out. The prerogative of exclusive use of force for a particular actor or group of actors is also less important. Both may well play a role, depending on the form of "rule" we are dealing with. However, they are variable and do not have to be fully realized.

Following the discussion above, the formation of a hierarchy of qualitatively different scopes of action and spheres of influence should be characteristic of "rule" as organizing principle in a given social context. Inspired by Christopher Daase und Nicole Deitelhoff (Daase and Deitelhoff 2015, 301, 305, Daase *et al.* 2023b, pp. 14–16) this study defines:

> **Rule is a constant form of exercising power and means the institutionalization of relationships of super- and subordination, which systematically expands or restricts the actors' options for action and influence on control.**

To what extent and for what reasons the relations of rule are recognized is variable. Visibility and fulfillment of the claim to power and willingness to follow can also vary. Whether and to what extent physical force is used as a means of enforcement remains also optional. Constitutive for rule is an asymmetry in power relations and resources, which is permanently consolidated in hierarchical structures and has an advantageous or disadvantageous effect on the options for action and influence on steering of different actors. This means that both the restriction of options for action (of the ruled) as well as the expansion of options for action (of the rulers), which are always thought of in relation to each other, are included in the definition. In this way, the dynamics of expansion and contraction of scopes for action in structures of rule can be considered.

In contrast to its inspiration (Daase *et al.* 2023b, pp. 14–16), the chosen terminology does not contain specific objectives of rule in its core definition. It also deliberately abandons the criteria of expectation stability. Because they can vary depending on the case or even not be present at all. Especially in tyrannical and arbitrary regimes, the goals of rule can concentrate on mere self-preservation, and the creation of uncertainty (and thus destabilization of expectations) may become

an essential source for maintaining power. Self-centeredness and unpredictability are therefore often an integral part of authoritarian practices of rule. Furthermore, objectives and means of rule can coincide. Therefore, a core definition should either separate them consistently or refrain from including them. The influence on the distribution of basic goods or resources, for example, can be both the goal and the primary method of a given system of rule. The resulting inequalities may vary according to the given type of rule or not even be part of it. Nor does the control of their distribution necessarily have to be the goal of rule. Nevertheless, this may very well be the case in a given context, as the nuclear order particularly suggests.

The chosen concept of rule can be used to describe a variety of hierarchical phenomena in global politics affecting actors' scope for action. They can be of a military, economic, diplomatic or socio-cultural nature. The recognition of their legitimacy might also vary. Legitimate and illegitimate rule become two varieties of a broader concept (Daase and Deitelhoff 2015, pp. 305–306, 2017, pp. 130–133). Likewise, the degree to which coercion or force is resorted to may differ. If both the recognition of authority and the availability of coercive means are not necessary criteria for rule, i.e. do not determine its existence but merely its variance, we arrive at a conceptual expansion, which enables us to identify previously undiscovered patterns of rule in international relations and law. However, the openness of the definition in the form of a core concept does not diminish the possibilities of a more detailed description or classification in a specific case, as in this study on the nuclear order.

When examining the complex interplay between rulers and ruled, their respective positions within the ruling structures and the evolution of their scope for action come to the fore. In this analysis, Weber has taken an interesting path by focusing on the ruled. For our context in international relations, where every state actor imagines itself as sovereign and ruling, this approach is illuminating. Because Weber's understanding of rule is not, as usual, blinded by the glamor of potency and potentates. It is not the rulers who are in the analytical spotlight. Instead, one must examine the ruled and their motivation to obey in order to understand the phenomenon of rule. This original perspective is perhaps one of the reasons for the success of Weber's typology of rule. Its angle is also promising for answering the research question of this study, which focuses primarily on the ruled (the supporters of the Humanitarian Initiative and the TPN, all non-nuclear weapon states or non-state actors).

However, our interest is not their motives for obedience. Instead, their revolt against the nuclear order is understood as an indication that an unloved relationship of rule may be present. And it is the motives of resistance, the investigation of the reasons to engage in the Humanitarian Initiative and initiate or support the TPN, from which we expect to gain more insights into essential features of the rejected nuclear rule. When looking at the behavior of various actors in a context of rule, it is precisely irregularities that stand out. It becomes particularly interesting when the recognition of the relationship of rule is explicitly withdrawn. But at this

exciting point Weber leaves us in the lurch. By limiting himself to the reasons of the ruled to obey, he conceals the motives for refusing compliance. Rule and authority thus become one lump: there is only recognized rule. With this focus on recognition and neglect of resistance, Weber's terminology leaves an empirical gap. Because in reality, rule and resistance are not mutually exclusive, but refer to each other. Therefore we now take a closer look at resistance.

Resistance

From the perspective of the rulers, every disobedience appears as an expression of resistance. However, not every gesture of rejection, disregard of applicable regulations or refusal to obey is radical and raises the question of rule. Mostly such behavior is only directed against a certain expectation of action and not against the entire context of action. Ignorance, disinterest, criminal energy and other reasons may be responsible for non-compliance with authority, disorderly or illegal behavior. On the other hand, incomprehensibility, unfulfillability and other characteristics of instructions may also play a role. At the same time, compliance does not automatically mean that a claim to rule is recognized. Often, obedience is performed reluctantly and, under certain circumstances, even in a recalcitrant manner. Such behavior may actually contain the seeds of resistance, because sabotage often hides behind forms of apparent compliance. Thus, obedience or disobedience per se do not define resistance. So how can we grasp resistance in a meaningful way?

To speak of resistance, the action in question must be conscious and intentional. The importance of reflexivity and awareness has been repeatedly emphasized in the conceptualization of resistance (Hollander and Einwohner 2004, Caygill 2013, Butler *et al.* 2017). This reflection refers to a given political object which is questioned, criticized or challenged in whole or in part. In order to distinguish resistance critical of rule from other varieties, we must pay attention to this object of critique (Daase and Deitelhoff 2017, pp. 133–134, 2023b, p. 193). Three categories commonly used in political science help to differentiate the respective object of contention: political content and programs (*policy*), political decision-making processes (*politics*) and political structures and institutions (*polities*). For example, resistance may be directed against certain political decisions or a chosen political course (e.g., against the construction of wind turbines or an agricultural policy that is perceived as too industry-friendly). Here, it would refer to specific *policies*. If the revolt is aimed at the process or way of political decision-making (e.g., lack of participation of relevant stakeholders in a health care reform), it deals with a specific case or recurring pattern of *politics* as its object. If resistance arises against fundamental institutions of the political order (e.g., in the case of systematic corruption of constitutional bodies or in the case of fascist contempt for democracy), it is the *polity*, i.e., the ruling order itself, that is

under fire of criticism. Political resistance can thus be interpreted as a withdrawal of recognition, as a questioning and challenging of *policy*, *politics* or *polity*.

Resistance to *polity* jeopardizes the justification of rule and withdraws its recognition. It is thus the question of legitimacy that drives and constitutes resistance critical of rule. We can therefore define it in analogy to rule as follows:

> **Resistance to rule means the withdrawal of recognition and thus the questioning and challenging of institutionalized relationships of super- and subordination that shape actors' scope for action and control.**

The extent to which compliance is maintained is variable. The visibility of resistance can also vary. Whether and to what extent physical violence is used as a means of pressure may differ. Central to our conceptual approach, above all, is that the conflict over the legitimacy of rule does not fall outside its terminological bracket.

Based on the same reasoning, Daase and Deitelhoff suggest tracing rule through the practice of resistance (Daase and Deitelhoff 2017, p. 122, 2023b, pp. 189–190). This highlights the conflictual, yet constitutive relationship between rule and resistance and the variety of dynamics that may arise (Daase and Deitelhoff 2023b, pp. 195–205). Thus, rule is not the end of the conflict, but manifests itself precisely when it is contested. Likewise, the dispute over legitimacy begins with resistance, but does not necessarily end rule. On the contrary, normally this dispute is inherent in every system of rule. If we assume that rule and resistance are not mutually exclusive, but coexist in varying degrees and in different forms, this dispute is even constitutive for both concepts. Where there is rule, there is resistance, where we recognize resistance, relations of rule are not far away (Daase and Deitelhoff 2017, pp. 131–132). This is precisely why resistance can be used as a key to the analysis of rule. Since rule becomes particularly visible where it struggles against resistance, it becomes describable in the observation of resistance. Regarding resistance as a natural part of rule can help to reconstruct manifestations and transformations of rule where its contours are not necessarily very strong or explicit (Daase and Deitelhoff 2023b, p. 189).

Even if rule tends to marginalize resistance by generating legitimacy and willingness to follow or by resorting to coercive means, it cannot completely neutralize it either by the subtlest techniques or by repressive force (Daase and Deitelhoff 2015, p. 307, 2017, p. 133, 2023b, pp. 190–191). This also applies to totalitarian regimes (Caygill 2013, pp. 137–146), as Hannah Arendt, among others, shows in her book "Eichmann in Jerusalem" with regard to Jewish resistance in concentration camps (Arendt 1963). Resistance can and must adapt to the respective mechanisms of rule, depending on the prevailing potential and limits. Thus, a particular system of rule can also produce its own variants of resistance. Consequently, the specific traces of a given system of rule become apparent in the characteristics of its resistance. Just as Clausewitz

describes war (Clausewitz 1992), resistance could also be described as a chameleon. Resistance movements often occur in a multitude and in the most diverse forms, degrees of manifestation and scales. In short, they are interrelated with the prevailing conditions of rule and are in no way inferior to them in their heterogeneity.

We can develop criteria that help to structure this diversity of resistance movements and distinguish between different types of resistance. To be able to better classify our object of investigation – the revolt against the nuclear powers by the HI and the TPN process – two decisive criteria shall be considered (Daase 2014, pp. 3–9). On the one hand, we can differentiate (rule-critical) resistance based on the actors involved in it (*who* resists?). When classifying according to actors, it makes sense in the context of international relations to distinguish between state and non-state actors. However, resistance movements can also be made up of mixed groups consisting of both non-state actors and state actors. In addition, there is also the question of *how* resistance is carried out. A distinction can be made between actions that respect the applicable rules and actions that violate them. On the level of the means employed, resistance can thus be divided into two types: *opposition* and *dissidence* (Daase and Deitelhoff 2017, 2019, 2023a).

Regarding the choice of means, opposition and dissidence each formulate political alternatives to the prevailing order. However, they differ in whether they accept and abide by existing rules of political participation (opposition) or reject and transgress them (dissidence) (Daase and Deitelhoff 2017, pp. 133–134, 2023b, pp. 193–195). Opposition adheres to the rules and uses the permitted means and forms of political participation to articulate its criticism or alternative proposals. Dissidence rejects, breaks or transgresses the existing rules and chooses unconventional forms of organization and articulation. Violent resistance is a particularly strong form of dissidence. This could include, for example, mutinies or violent attacks. Non-violent forms of dissident behavior are, for example, civil disobedience, leaking secrets or other forms of rule-breaking. These types of behavior rarely occur in their pure form and are therefore used conceptually in the sense of an approximation.

Empirically, the range of actors involved in resistance is often broad and we are usually dealing with opposition and dissidence of varying degree. The ratios within mixed forms of resistance can be more or less pronounced both at the level of the actors and at the level of the choice of means. Often, they are in a dynamic relationship with each other. Opposition and dissidence can also merge into one another. (Daase and Deitelhoff 2017, pp. 134–136, 2023b, pp. 193–195). This transition can be related to, accompanied by, or conditioned by changes in power relations. If, for example, opportunities for protest are restricted, this can reduce oppositional activity and favor dissident behavior. However, there is no compelling causal link between the increase and decrease of restrictive means of rule and the emergence of dissident practices.

To illustrate the spectrum of resistance in the context of IR, a few examples from previous research shall be presented. There are different ways to analyze and interpret state resistance (Deitelhoff and Zürn 2016, pp. 271–275, Daase *et al.* 2017a, pp. 3–6). Especially from a "balance of power" perspective, state resistance appears in the form of inter-state power competition and occurs primarily as a result of a shift in power (Mearsheimer 2001), for example, when a transition seems to be within reach for emerging powers (Ilkenberry 2010). Previous work suggested that new powers would reject established international institutions because of their bias in favor of the *ancien régime* (Gilpin 1981). In fact, the BRICS group of states, in which Brazil, Russia, India, China and, most recently, South Africa have joined forces as major economic powers, sees itself as a counter-weight to the international order created and dominated by the West (May 2017). However, while declaring the principle of multipolarity as the basis for the future of international politics, those states also defend the traditional principle of non-interference and sovereignty, which they want to maintain or restore. Studies show that, particularly in the economic sphere, these states criticize existing international institutions such as the World Trade Organization (WTO) or the World Bank, but adapt and use them in accordance with their interests (Nölke 2014). Yet shifts of power centers can also go hand in hand with demands for changes in the decision-making structures of global politics (Hurrel 2006). Another form of state resistance that is not tied to the emergence of new powers could be seen in the so-called forum shopping, in which states pick and choose the institutional format in which they participate according to their interests and attempt to circumvent the jurisdiction and access of inconvenient institutions (Busch 2007). A further option is the establishment of alternative institutions if states are dissatisfied with existing ones (Brem and Stikes 2009, Flemes and Westermann 2009, Morse and Keohane 2014). Finally, states might leave institutions, turn away from existing regimes, and openly break the rules (Daase 2003a).

The resistance behavior of non-state actors is also repeatedly examined. Numerous studies investigated how non-governmental organizations (NGO) criticizing the *status quo* contribute to the reform of international institutions and increasingly expand their own access and influence within them (Brühl 2003, Martens 2006, Tallberg Jonas *et al.* 2013). Well networked and professionally organized, they pursue their goals primarily through lobbying and strategic press and public relations work. Other forms of non-state resistance, such as activist movements, are less organized, attack from the outside, pursue more revolutionary goals, and confront specific international institutions or the global (economic) order as a whole (Smith *et al.* 1997, Smith and Johnston 2002, Della Porta and Tarrow 2005, Flesher Fominaya 2014). Prominent examples include the anti-globalization Battle of Seattle during the WTO Ministerial Conference in 1999, protest actions at the subsequent rounds of negotiations and at the G7/G8 summits, Occupy Wall Street, the anti-austerity protests

in the course of the European financial and currency crisis or the protest rallies of thousands of activists surrounding the World Climate Conferences in Paris 2015 and in Glasgow 2021. Some of these events also resulted in violent riots.

As a "transnational advocacy network" (TAN), resistance can also take the form of cooperation between state and non-state actors, for example when domestic NGOs generate international state and inter-state pressure on their national government via their transnational civil society networks (Keck and Sikkink 1998, 1999). The control of knowledge and "epistemic communities" that emerge in such contexts can be decisive for possible changes and thus the success of transnational resistance (Haas 1992). Multi-stakeholder networks and their influence on the discourse have also been crucial to achieve reforms in the field of humanitarian disarmament (Bolton *et al.* 2020), such as in the case of the ban on anti-personnel landmines or the prohibition of cluster munitions. If the focus is on the reform of international organizations and global governance, resistance can be interpreted as politicization (Zürn 2012) and emanate from both states and non-state actors. Deficits in the legitimacy of international institutions are addressed and publicly discussed. This can trigger reforms, as has repeatedly happened in the European Union, or lead to a weakening of multilateralism, as can be observed, for example, with regard to the United Nations Security Council.

According to our definition, these various forms of resistance have in common that they involve conscious behavior. Otherwise, these activities could not be described as such. However, determining the exact type of resistance requires further criteria. To speak of resistance *to rule* the object of contention must involve the *polity* and its legitimacy must be called into question. The composition of the *actors* and the distinction between *opposition* and *dissidence* are further key elements of the analysis. There are a few other aspects that are worth paying attention to.

To become effective in the political arena, resistance requires association of several people or actors. Without unification, without a shared goal, effective political resistance is hardly conceivable. In fact, the occasion, place or context in which resistance gathers and transforms the individually expressed criticism into a movement can be very revealing. It can even indicate the object of contention and whether the resistance is directed against rule. Prominent historical examples are the storming of the Bastille during the French Revolution or the gathering of the masses in front of the Brandenburg Gate and along the Berlin Wall on 9 November 1989.

In addition to the time, place and context of gathering, the explicit demands and openly expressed goals or agenda of the resistance movement can of course provide information as to whether it is directed against rule or something else. However, this does not necessarily have to be the case. Particularly in contexts of oppression or censorship, the articulation of resistance can take subtle forms, for example in the guise of symbols, gestures or other codes. Therefore, it is important and enlightening to look closely at what the actors of resistance say and which forms of expression

and codes they choose. However, in order to reveal the underlying intentions, the investigation must sometimes dig deeper and not shy away from researching directly in the field.

Beyond the distinction between opposition and dissidence an analysis of resistance should also retrace which exact paths the resistance takes to expand its sphere of action. After all, it depends not least on its techniques and strategies whether it succeeds in influencing, changing or even breaking through the institutionalized relationships of super- and subordination. The investigation of the approach and activities of the resistors must be sensitive to the close connection between rule and resistance, i.e. to the dynamic interplay between the expansion and contraction of the respective spheres of action. This means that the reactions of those in power also need to be considered. For the course of events also depends on which techniques and strategies the rulers use or are able to use. Up to what point do they tolerate resistance and when do they step in? What means can they actually resort to in a specific context and how much are they willing to compromise? All of this influences the resistance itself, its composition, its further course of action, its effectiveness and its chances of success.

1.2 Critical & post-colonial perspective

Most theoretical and empirical research on rule and resistance takes a critical or post-colonial perspective. Critical and post-colonial approaches unite very different currents and are experiencing a renaissance in a wide variety of scholarly engagement. Many of these contributions focus on how the colonial past still affects social, cultural, political, legal and economic structures today. They place special emphasis on the importance of the epistemic and discursive dimension of the exercise of power and the continuity with which colonial relations are expressed therein. As a first step, we will discuss this idea of post-colonial continuity in more detail, drawing on the relevant critical and post-colonial literature, particularly in International Relations (IR) and International Law Studies (ILS).

In a second step we develop six specific components of colonial imprint, which we derive from the body of knowledge of post-colonial studies: *Excessive violence*, *eurocentrism*, *primacy of the state*, *racism*, *economic exploitation*, and *patriarchal domination*. These serve to substantiate the abstract idea of a post-colonial continuity and to make it applicable to our object of study. If there is an epistemic and discursive continuity of colonialism in the nuclear order, this should be recognizable from these elements. Illustrations will be given of how the components of colonial imprint could manifest themselves in the nuclear field. When we examine the presumed anti-colonial motivations of the resistance, these aspects should play an important role.

Epistemic & discursive continuity

The history of colonialism is one of subjugation and exploitation of non-European colonies (peripheries) by European colonial powers (metropolises). In the process, relationships of domination were established between European conquerors and indigenous peoples in non-European regions. Colonialism as a historical period can be divided into several phases (Eckert 2015). The landing of Christopher Columbus on what is now the West Indian peninsula of San Salvador on October 12, 1492, is considered to mark the beginning. This first phase of Iberian colonialism, during which the two maritime powers Spain and Portugal supported private conquests overseas, lasted until the 17th century. The 18th century ushered in the second phase and is marked by the British Empire. The practice of colonial expansion expanded with the Industrial Revolution and new technological possibilities in transportation and communication. At the same time, the Enlightenment provided an ideal justification for the Europeans' sense of superiority and drive for expansion. The burgeoning nationalism reinforced this tendency and became the hallmark of colonialism in the second half of the 19th century. This later phase is often referred to as imperialism (Mommsen 1969). The conquests reflected the competition of the European great powers for prestige and territories. Meanwhile, in addition to Spain, Portugal, and Great Britain, France, Italy, Belgium, Germany, the Netherlands, and the United States competed for colonies (Mommsen 1969, pp. 152–177). It was not until after the Second World War that decolonization really began (Eckert 2015, pp. 86–87).

Along with the temporal classification, spatial distinctions are important. Depending on the region, different emphases can be identified. Iberian domination of Latin America was particularly driven by the exploitation of mineral resources and characterized by extensive territorial and administrative control, accompanied by heavy settlement. In contrast, early British colonialism in Asia was particularly aimed at expanding trading bases and conquering new markets and resulted in little settlement by Europeans. In North America and Australia, on the other hand, the Empire spread through aggressive settlement in such a way that the indigenous population was largely displaced and decimated. In the 19th century, it was a common belief in the United States that they had a divine duty and destiny to expand their territory and influence on the North American continent (Manifest Destiny). The colonization of Africa, in turn, was not accompanied by extensive European settlement, except for parts of North Africa.

Colonialism in its various forms and manifestations is understood here as the historical practice of European domination over non-European territories between the 15th and 20th centuries. Post-colonial approaches deal critically with this era of colonialism and its aftermath. First pursued in anthropology, they have gradually found their way into almost all disciplines of the humanities and social sciences, forming a transdisciplinary research current (Moore-Gilbert 2000, Kerner

2017). Their breadth is accompanied by many differences and debates. Two theoretical sources, the Marxist and (post-) structuralist schools of thought, feed numerous post-colonial studies. Despite their diversity there is agreement that the colonial encounter played a crucial role in shaping colonizing and colonized societies and their relations (Biswas 2016, p. 221). In this context, the United States, as a former colony and later colonial power, occupies a special position. Despite their geographical location outside Europe, they are seen as part of the European cultural space and thus of the metropolis in (post-) colonial relations.

The central thesis of post-colonial approaches is that colonialism continues to have a formative effect in many areas to this day. This long-term impact of the colonial legacy includes not only the material North-South divide in a global economic system that continues to disadvantage former colonies that are deprived of their resources. Post-colonial approaches argue that colonialism persists ideationally by further dominating our basic assumptions, knowledge and understanding of the world and our exchanges about it. European or Western categories of thought and discourse dominance would thus perpetuate colonial domination. Academia and scientific disciplines would also have contributed to this and continue to do so. It is this *epistemic and discursive dimension of the continuity* of colonialism that is the linchpin of post-colonial approaches (Moore-Gilbert 2000, Kerner 2017). It would marginalize the lifeworld and experience of the majority of the world's population.

Edward Said, literary scholar and prominent Palestinian intellectual in the United States, is often referred to as the founder of post-colonial approaches. In his foundational text "Orientalism" (Said 1978), he examines the significance of Western ideas and knowledge about the Orient (and Islam) for the colonization and exploitation of foreign societies, especially in the Middle East, by Great Britain and France. The prevailing self-image of the progressive, modern West would have entailed the negation of the foreign as an archaic, underdeveloped Orient. As a result of this juxtaposition, academia would have lost access to a multi-layered and mixed perspective. Said emphasizes the interaction of colonialism and culture (defined as the production of knowledge) and conceptualized the binary othering of foreign culture as "Orientalism". This concept has had a significant intellectual impact, bringing the dimensions of culture, knowledge and ideas into the discussion of European or Western domination and highlighting how these factors enabled, accompanied and survived historical colonialism.

A liberation from the epistemic and discursive corset is extremely difficult, if not impossible, from a post-colonial perspective. For the critique of colonialism has to use the language of colonialism in order to make itself understood (Lorde 2007). It thus confirms the assignments of meaning and categories from which it wants to free itself (Chakrabarty 2008). Post-colonial approaches nevertheless attempt to uncover and dissolve epistemic and discursive structures and to recognize the political, economic, social and cultural effects of colonialism. For this to succeed, the perspec-

tives and interpretations of the oppressed and most disadvantaged, the so-called subalterns, are indispensable (Rushdie 1982, Spivak 1988, Spivak 1995). If colonial history is told from a specific, European or Western perspective and thus suppresses other forms of knowledge, post-colonial narratives are needed to counteract this epistemic and discursive suppression.

Therefore, science itself needs to embrace new, subaltern readings. In the early 1980s, "The Subaltern Studies Collective" formed in the field of Indian historical studies and gradually inspired similar projects and debates in Africa and Latin America (Guha 1998). For the most part, these post-colonial contributions take sides, mobilize the subaltern point of view and intervene politically. Adopting a (politically engaged) post-colonial perspective therefore also means questioning the strict separation of theory and practice and understanding science itself as a political practice. In this sense, post-colonial studies clearly belong to the group of critical theories (Humrich 2003).

Critical and post-colonial works have also become increasingly popular in IR. Here, too, many of the contributions are rooted in the Marxist and (post-)structuralist tradition (Laffrey and Nadarajah 2016). An important pioneer for the resurgence of the critical perspective in the discipline was Robert Cox (Cox 1983). He noted that in IR basic structures were often taken for granted and that research only took place within this predetermined framework, thus contributing to its stabilization and reproduction. Critical and post-colonial IR approaches therefore not only discuss the material factors of global affairs, but also search for the epistemic and discursive structures behind. This requires sensitivity to the interplay between theory and practice. A prominent example of such research is the critical examination of how the theory of democratic peace has found its way into the language, agenda and practice of political actors – with serious consequences for many people (Ish-Shalom 2006, Sabaratnam 2013).

Critical and post-colonial IR studies also consider limits of political engagement. They are skeptical about the extent to which emancipation may or even can be successful. For counter-narratives also run the risk of being corrupted by semantics of power or of becoming dominant and oppressive themselves. This interwoven relationship between resistance and power in the international context is critically examined. A key post-colonial study analyzes how "the empire" of European and Western dominance spans all discourses like a global network without a recognizable center (Hardt and Negri 2000). Accordingly, it is not the power of certain actors but discursive dispositive that would establish a certain order and consequently foreclose almost any formation of resistance from the outset. Only "the multitude" of decentralized and at the same time omnipresent movements of resistance relying on alternative narratives could be effective against this (Hardt and Negri 2005).

As in other disciplines, post-colonial IR approaches reflect on how colonialism persists in the assumptions and conclusions of academic research (Biswas 2016).

These include, for example, the narrative of IR itself, its storyline beginning in the European or Western context with the catastrophe of World War II and developing with the rise of the United States. Objects of study (e.g., interstate wars, the cooperation dilemma) and basic assumptions and theories (e.g., realism, liberalism, rational choice) are also scrutinized. Applying a post-colonial perspective can help expose the epistemic and discursive entrenchment of IR in the European-Western context and bring alternative or marginalized views, narratives, issues, and concepts to the fore (Biswas 2016, pp. 227–228). Post-colonial approaches have also found their way into Peace and Conflict Studies (PSC) and discuss, among other things, a narrowing of the concept of violence to its direct and physical forms (Brunner 2018). Following the concept of structural violence (Galtung 1975), they argue for an expanded understanding that takes into account economic, social, cultural, psychological, discursive, and other constraints.

In ILS, post-colonial approaches share the premise that law, like other social norms, is socially constructed and therefore historically and culturally conditioned. Here, too, the common ground is to take a critical look at how international law has enabled, legitimized and maintained colonization (Theurer and Kaleck 2020a). These contributions are often referred to as Third World Approaches to International Law (TWAIL) and examine international law as an expression of continuing Western domination (Mutua 2000, Anghie and Chimni 2003, Anghie 2006, Gathii 2011, Theurer and Kaleck 2020a). Within TWAIL as well, many researchers politically side with the formerly colonized or the Global South, try to counter further tendencies of expansion on the basis of law, denounce political marginalization, economic exploitation and cultural discrimination (Anghie 2004, Okafor 2005, Chimni 2006, Gathii 2010).

Anthony Anghie, one of the best-known TWAIL scholars, examines the role that European legal theory played in laying the foundations for interpretive sovereignty in the 16th to 19th centuries and how it continues to shape international law today, including new attributions that are related to old ones (Anghie 2004, Anghie 2006, 2016). Accordingly, political power and the epistemic power of law (or legal theory) had been closely linked throughout the epoch of colonialism, especially during the 19th century. In order to legitimize conquests and expropriations, colonial powers had literally demanded legislation, and legal scholars had willingly made themselves subservient.

For TWAIL researchers the interpretive power over legal issues constitutes both the reason for the epistemic and discursive continuity of colonialism in international law as well as the means against it, providing the tools for an alternative, decolonial development (Anghie 2006, Theurer and Kaleck 2020a). Challenging the fundamental assumptions and principles of international law is crucial in this emancipatory endeavor. Therefore, TWAIL also deal with the issue of violence in all its manifestations, including epistemic and discursive violence. What is special

about the violence of law in this context is that the properties of formality, neutrality, and objectivity attributed to it (or claimed by it) produce a particularly subtle and perfidious form of epistemic and discursive violence, making injustice invisible and unassailable. Conversely, TWAIL seek to expose this strategy of concealment.

The critical disclosure of double standards plays a special role in this context. This applies in particular to the interpretation of two fundamental concepts of international law, the principle of egalitarian sovereignty of states and the construct of *terra nullis* (Theurer and Kaleck 2020b, pp. 12–13). These concepts were implemented differently depending on which population group was affected. Post-colonial approaches question legal attributions such as ethnicity ("race"), culture, religion, class or sexuality, showing that the colonizers had the authority to determine whether and to what extent people or a society were assigned to one of these categories and whether and which law was valid (Gunn Allen 1992, Mutua 2001, Anghie 2004, Chimni 2017). The colonial practice of dividing states into civilized and uncivilized, modern and archaic states would have shaped current international law to this day (Gong 1984, Keene 2002, Orford 2006, Koskenniemi 2010). After formal decolonization from the 1960s the distinction would continue in a new guise, more subtle and professionalized, but always committed to the same "universal teleology of progressive humanitarianism" (Koskenniemi 2011, p. 156).

Looking at the field of development cooperation, for example, analysis show how discourses on development and modernization, rule of law and structural adjustment have replaced colonial discourses on civilization and contributed to the continuation of relations of dominance and exploitation between the Global North and the Global South (Anghie 2004, Anghie 2006). Historical work on the prohibition and legitimization of the use of military force, in turn, demonstrates that states were treated differently in the 19th century depending on which group they belonged to in the imperialist world, and that these distinctions would continue to have an impact into the 20th century (Verdebout 2014, Bernstorff 2017, 2018). TWAIL studies trace how double standards remain rooted in colonial distinctions today and shape concepts such as the Responsibility to Protect (Orford 2011), the self-image and agenda of international institutions (e.g., the International Criminal Court (ICC)) (Gabrielli 2023) or the interpretation of International Humanitarian Law (IHL) (Mégret 2006).

Various TWAIL studies demonstrate the difficulty of change or resistance to the dominance of the Global North, particularly in the economic sphere. After gaining independence in the 1960s and 1970s, many people and governments in the Global South were optimistic about the creation of a new global economic order, for which even a legal-theoretical framework had been developed (Bedjaoui 1979). But fundamental reform efforts would have been undermined by old structures and Western influence, and privileges and disadvantages have been permanently enshrined (e.g. in the protection of foreign investments in transnational law) (Theurer and Kaleck 2020b, pp. 16–17). Post-colonial approaches observe how political agency of

the Global South has been repeatedly restricted by an increasingly dense network of transnational norms and international private law regimes (Chimni 2017, pp. 25–27). The area of International Human Rights (IHRL) would also be characterized by the epistemic and discursive dominance of the West. As a result, resistance actors from the Global South would have to adapt accordingly and build on the biased IHRL discourse to be successful (Rajagopal 2003). The role of non-state actors is also critically examined in this context. Financially well-off Western NGOs that see themselves as saviors, for instance, would only campaign for the enforcement of human rights in line with the prevailing neoliberal paradigm (Mutua 2001).

Research on the struggle for international law in the course of the great wave of decolonization concluded that it was successful in eliminating central epistemic and discursive dispositives of European imperialism, but new forms of Western dominance could not be averted (Bernstorff and Dann 2019). Western governments and legal scholars had succeeded in securing United States-led Western hegemony through clever demarcations between domains and policy fields, reframing of categories of civilization, integration of substantive demands of the Global South, and a focus on bilateral treaty relations over which the West has greater influence. Moreover, inherent contradictions in the strategy and demands of the Global South, which on the one hand wanted to make *tabula rasa*, but on the other sought integration into the order, have contributed to a mixed result.

This brief foray through the literature confirms important commonalities within the corpus of critical and post-colonial studies, and generally shared theoretical insights emerged. All studies in this genre emphasize the importance of the epistemic and discursive dimension for the analysis of power relations. Post-colonial approaches further highlight the continuity of the colonial legacy. This applies across all disciplines, including IR and ILS. Another joint conclusion is that resistance under these conditions is very difficult and, in the view of many, hardly possible. To have a chance of success, the subaltern perspective must breakt through the (post-colonial) epistemic and discursive hegemony. At the same time, the pressure to adapt and, in some cases, the desire to adapt remains high in order to be effective at all.

The idea of post-colonial continuity and its epistemic and discursive power is of central importance for our investigation on rule and resistance in the nuclear order. However, it is not sufficient as an analytical tool to get to the bottom of a possible anti-colonial motivation of the anti-nuclear resisters. For this, we need concrete attributions associated with a colonial regime. These must be tangible and not only accessible through academic debate and meta-analysis. Only if they play a role in the conscious motivation of the actors of resistance, we can reconstruct patterns of colonial rule by analyzing resistance. We therefore take a further look at post-colonial literature to search for concrete manifestations of the colonial legacy that shape

international relations and international law to this day, and try to link them to the nuclear order.

Colonial imprints in the nuclear order

There are six specific attributions of colonial rule that this study has distilled from post-colonial literature: *excessive violence*, *eurocentrism*, *primacy of the state*, *racism*, *(capitalist) economic exploitation* and *patriarchal domination*. In various fields of international relations and international law, these elements are repeatedly identified and cited by post-colonial approaches as examples of how the colonial legacy continues to have an impact today. They are rarely considered all together, and they also do not appear systematically as they do here. In other words, they do not form a recognized canon. Rather, this compilation is the result of an inventory which this study has undertaken within the relevant research body. It should also be noted that the six components cannot be strictly separated from each other. There are close, mutually reinforcing connections between them and overlaps. Nevertheless, their distinction is important. For it helps to reveal the spectrum of colonial legacy in the nuclear order and identify relevant emphases. We will now look at the core ideas of these six colonial imprints extracted from the large corpus of post-colonial studies. For each component, exemplary manifestations in the nuclear order are briefly described to highlight their relevance for our object of study.

Excessive violence

Post-colonial research often focuses on the phenomenon of violence associated with colonial rule. Studies not only shed light on violence in its physical form, but also examine its political, economic, social, psychological, epistemic and discursive manifestations. Although these other forms of violence are given consideration, the particular extent of physical violence, the brutality and massive use of armed force in the context of colonial rule are of special interest to scholars and increasingly well documented.

Decades of genocide and mass violence in Africa during the colonial period continue to have a profound impact today and caused unprecedented socioeconomic, political, and cultural upheaval (Bloxham *et al.* 2012). Even though African cultures, identities, and social structures were not completely destroyed, contemporary research underscores totalitarian and coercive policies of the colonizers and the close links between colonial violence and genocidal practices (Moses 2011, Reis 2011, Travis 2012). Although physical violence had been a constant of colonial rule, the forms and extent of colonial violence varied by region and time period. Research on Spanish and Portuguese colonialism in Latin America shows that they differed depending on the character of the indigenous population and the system of colonial exploitation (Gabbert 2012). In colonized India, torture and extraordinary violence ("colonial

terror") were among the usual means of colonial violence between the early 19th century and the First World War (Heath 2021). But even in the final phase of colonial rule in the mid-20th century, the use of mass violence continued, such as the atrocities committed by the Dutch in Indonesia in the late 1940s (Luttikhuis and Moses 2012, 2018). The growing documentation of colonial excesses of violence in concentration camps, mass murders and genocides, such as those committed against the Herero in German South-West Africa, however, led to little or only belated political recognition or even apology for the crimes committed (Zimmerer 2008, 2011, Rogers 2023).

Profound analytical insights into the various facets of colonial violence, effects, and responses were already provided by early literary key works of post-colonial thought, such as Franz Fanon's "The Wretched of the Earth" (Fanon 1969). Accordingly, the violent division of the colonial world into two compartments, one subordinate to the other, had been one of the main characteristics of this order (Fanon 1969, p. 29). This had been encouraged by lowering the linguistic threshold for violence, by dehumanizing the colonized in the language of the colonizer. The colonizer would have used a zoological language, referring to the animal kingdom when speaking about the colonized (Fanon 1969, pp. 32–33). Without knowing the thesis of the discursive and epistemic dimension of colonial power, elaborated in later post-colonial literature, Fanon observed that the universal value system, created by the colonizers, was accepted, reproduced and even defended by the colonized (Fanon 1969, pp. 34–39). A trained psychiatrist, he also examined the mental disorders created by colonial violence and in Algeria's war of national liberation (Fanon 1969, pp. 190–225). Since colonialism practiced a systematic negation of the other, denying him every human attribute, he argues, the colonized were permanently confronted with the existential question of who they were.

But how should the colonized deal with the omnipresence, the intensity and the depth of colonial violence that penetrates their own psyche? Mahatma Gandhi and Franz Fanon, two of the main figures of the anti-colonial movement, show diametrically opposed paths. For Gandhi, anti-colonial resistance is not compatible with the use of violence. For the refusal to cooperate with evil (colonialism) would also result in the duty to cooperate with good. The total renunciation of violence would therefore be necessary to weaken evil, to defeat colonialism (Gandhi 2014, pp. 9–17). Gandhi had missionary intentions and wanted to convert the entire Indian people to his point of view by setting an example and bringing his standard of living into line with that of the poorest of the poor (Gandhi 2014, pp. 66–67). By patience and sympathy instead of force the opponent should be dissuaded from error. This did not mean inaction. Through civil disobedience, the disregard of the laws in a non-violent way, the apparatus of violence could and had to be disturbed (Gandhi 2014, p. 76).

Fanon, in contrast, sees violence not only as a legitimate, but also as a proven, if not the only means of eliminating colonialism. For him, decolonization was always a

phenomenon of violence, and the latter remained at the core of any fruitful strategy of anti-colonial resistance. Only by force could a certain kind of people be replaced by another kind and liberation be achieved (Fanon 1969, p. 27, p. 30, pp. 68–69). *Tabula rasa* would therefore be the precondition for the creation of a new order. For this to happen, a decisive and deadly clash between the two protagonists, the colonized and the colonizers, had to take place (Fanon 1969, p. 28). The revolutionary forces, however, would not be the potentially corruptible nationalist political parties and urban supporters, but the peasants and rural population, who had nothing to lose and everything to gain (Fanon 1969, pp. 46–48). The conscious struggle of a colonized people to restore national sovereignty would be the strongest expression of culture (Fanon 1969, p. 169). Fanon evokes the downfall of Europe in a passionate call to arms (Fanon 1969, pp. 239–242). Yet, by giving the European narrative of progress a new garment and reformulating it in a subaltern variant, he retains Europe as a point of reference and the same Promethean tongue, declaring that a "new man" with a "new skin" must be created (Fanon 1969, p. 242, 2009).

If the threat and use of excessive violence is one of the hallmarks of colonial rule, it makes sense to view nuclear weapons in this light, even if their ultimate destructive power was only tested and used towards the end of colonial history. The catastrophic impact of nuclear weapons exceeds in its spatial and temporal dimensions the potential of all other types of weapons, including biological and chemical weapons of mass destruction. Their effects are not only of greater magnitude, but are particularly manifold (Sartori 1983, London and White 2019). These include devastating heat of several thousand degrees and light that cause fatal burns on a large scale and can lead to firestorms. The explosion creates a massive shock wave, causing tremendous destruction to buildings, injuries and, again, numerous deaths. In addition, an electron-magnetic pulse is released (Oreskovic 2011) and radioactive rays spread over hundreds or even thousands of kilometers, causing disease and death of humans, animals and plants (Ozasa *et al.* 2012, Hsu *et al.* 2013, Grant *et al.* 2017). In the atmosphere, the concentration of ozone changes. Whirled-up dust particles darken the sky, so that in the event of a major nuclear war, the climate would cool down (nuclear winter), causing crop failures and famine (Aleksandrov and Stenchikov 1983, Robock *et al.* 2007, Coupe *et al.* 2019). In addition to the long-term health consequences caused by the radiation, the survivors of the nuclear attacks on Hiroshima and Nagasaki also suffered socio-economic exclusion and discrimination (Dower 1995, Horie 2018).

Gandhi made direct reference to nuclear weapons and their (physical) destructive power in his reflections on anti-colonial resistance. He depicted the "atomic bomb" as *the* contrary (colonial) force to anti-colonial non-violence. As early as 1946, he began to deal with the atomic age heralded by the bombs dropped on Hiroshima and Nagasaki. Confronted with the fact that these events could shake the validity and practicability of his approach, Gandhi defended his belief in the moral and spir-

itual superiority of truth and non-violence, against which no physical and material force could prevail (Gandhi 2014, pp. 78–79). Truth and renunciation of violence would be much more powerful than the destructive power of nuclear weapons but would have to be recognized and practiced by everyone to save humanity from self-destruction. He thus sets considerable preconditions for the realization of non-violent decolonization. Even if India ultimately decided otherwise (in favor of deterrence through the acquisition of these new weapons) there was no alternative for Gandhi. Bombs could never be rendered harmless by other bombs (Gandhi 2014, p. 79). We will come back to this attitude when we examine the anti-nuclear resistance and its motive of rejecting the excessive violence of nuclear weapons.

Eurocentrism

In almost all post-colonial contributions "Eurocentrism" appears as a guiding theme. It is understood as the tendency to regard Europe as a primary (normative) frame of reference. The notion of Europe is interpreted more in terms of its cultural and ideational meaning rather than as a geographical entity. The content and localization of Europe can therefore change in time and space, and is usually equated with "the West", which also contains other countries, especially the United States (Laffrey and Nadarajah 2016, p. 123). Although not part of the West, Russia, which was itself an imperial and colonial power, is usually included in this cultural or ideational reference space from a subaltern perspective. During the Cold War, the ideological division of the world into West and East was overlaid by a no less pronounced divide between South and North. Therefore, the term "Global North" is also frequently used. Eurocentrism thus goes back historically and locally to the European continent, but over time has come to refer to an imaginary Europe that is geographically and temporally detached.

Through colonialism, the specific development and modernization of Europe was propagated worldwide as an ideal of progress worthy of imitation. The European or Western narrative of progress served as a universal script for economic, political and cultural development. Post-colonial analysis point out that this model is often seen as applicable to all regions of the world and as the only development path to a positive future for all (Anghie 2004, Skouteris 2009, Buzan and Lawson 2015). Modernization theory, it is argued, has made the European or Western model of development the standard against which all societies in the world can be measured and to which they can converge through the process of modernization. This applies not only to economic, political and social development, but also to language, culture and religion. Normative frameworks and value standards were set by "European" reason and rationality, which in turn had a decisive influence on the development of the law (Gathii 1998, Baxi 2006).

Looking at the history of international law and institutions, post-colonial studies highlight how Eurocentrism has shaped their design and the debates among legal

scholars, regardless of whether this was due to well-meaning intentions or opportunism (Koskenniemi 2010). In this way, European concepts and categories and the European-defined model of universal legal progress have been incorporated into legal studies (Chakrabarty 2008). Examples of this European historiography of law include the enforcement of concepts such as *ius gentium*, natural law, the law of nations, and European public law, but also the division of the body of law into "political", "economic", "secular", "religious", "private" or "public" domains. This infiltration would also affect international institutions, regimes and processes of global governance. Even if their functional differentiation and technical professionalism seem self-evident, international organizations and courts would in fact be based on European and United States models (Koskenniemi 2011). Their self-image, working methods, structure and language would correspond to those of Western authorities, universities, think tanks and NGOs.

Where can we observe Eurocentrism and neglect of the subaltern with respect to nuclear weapons and the nuclear order? An example could be seen in the system of deterrence and nuclear sharing. Not only the practice itself, but also most security studies and nuclear strategies dealing with deterrence focus entirely on the Global North (Miller 1984, Nye 1987, Heisenberg 1989, Yost 1993, Cimbala 2019, Richter 2020, Arbatov 2021, Badalassi and Gloriant 2022). The security interests of other states or the Global South are largely left out of the design of deterrence postures and sharing policies. These involve, for example, the global consequences of a possible nuclear escalation. The focus on the assumed security benefits of strategic stability relates exclusively to the Global North and ignores the costs for other countries. These include both the transnational and global consequences in the event of nuclear escalation (impact on climate and food security, lasting transnational environmental damage) and those caused by the practices to maintain the balance of deterrence (nuclear weapons testing in indigenous and subaltern areas, exploitation of uranium and plutonium in the Global South).

Nuclear deterrence and sharing can thus be regarded as a Euro- or Western-centric system of inclusion and exclusion. All nuclear weapon states, umbrella states and sharing states involved in it are exclusively from the Global North, more precisely, part of the Western alliance or the Russian military bloc. Moreover, in its historical and current practice, deterrence policy has developed an expansionist tendency that can be seen as characteristic of a Eurocentric approach. With the concept of extended deterrence, which was developed during the Cold War and is still used today (Slocombe 1984, Hlatky and Wenger 2015, Richter 2020) nuclear deterrence is not just about a nuclear response to a nuclear first strike. The stated goal of extended deterrence was to prevent a conventional attack from the Soviet Union by threatening to use nuclear weapons. If this failed, Soviet conventional aggression was to be stopped using tactical nuclear weapons stationed in European NATO countries. To respond, the Soviet Union gradually established a similar system of ex-

tended deterrence. Today, the doctrines of Russia, the United States, United Kingdom, and France – all former colonial powers – contain manifold deployment options for the use of nuclear weapons. These range from responding to a nuclear first strike to defending against attacks with other weapons of mass destruction and also include scenarios for reacting to diffusely defined existential threats to the nation, whereby conventional threats are not excluded as a possible justification (US 2018, Russia 2020). In November 2024, the Kremlin presented a revised nuclear posture that further lowers the threshold for the use of nuclear weapons and explicitly provides for it in response to "critical" conventional attacks on Russian or allied territory (Belarus) (Russia 2024).

By extending its nuclear umbrella over its NATO allies in Europe and beyond to Asia, the United States deterrence policy creates a three-tier nuclear system consisting of the nuclear weapon states, the sharing and umbrella states and the non-nuclear weapon states without deterrent. In the wake of its war of aggression against Ukraine, Russia has been trying to reattach to this model by stretching its nuclear umbrella over Belarus and occupied parts of Ukraine and deploying tactical nuclear forces on Belarusian territory (Bugos 2023a). Against this backdrop, Russia's nuclear-shielded war of aggression against Ukraine and nuclear deployment in Belarus can be seen as a prime example of a nuclear expansion policy based on extended, even overstretched deterrence (Hach and Sinovet 2023, pp. 2–3). Its revised doctrine exploits ambivalences and thus attempts to underpin Moscow's nuclear escalation dominance on the European continent with unpredictability (Russia 2024). The situation is more complex with France's stand-by commitments under the European Union and the Treaty of Aachen (France and Germany 2019), which include the French nuclear *force de frappe* but do not involve any material or military underpinning in doctrine or armed forces. The United Kingdom's nuclear policy, on the other hand, is strongly oriented toward or even subordinate to that of the United States (Kristensen and Korda 2022d).

In contrast, the nuclear doctrines of China and India are more restrained and prescribe a non-first-use policy (Kristensen and Korda 2022a, 2022b). Chinese diplomats even regularly object to Beijing's no-first-use policy being seen as deterrence. It remains to be seen, however, whether this declaratory stance will endure in view of China's current nuclear modernization and rearmament. India, too, does not see its nuclear arsenal as an accommodation to imperialism, but precisely as an anti-colonial measure of resistance against hierarchy and double standards in the nuclear order (Daase 2003a). Accordingly, India's nuclear arsenal would only serve to repel a nuclear strike and relate solely to the regional conflict with Pakistan. Even if Pakistan's nuclear doctrine keeps other deployment scenarios open due to India's conventional superiority, its policy remains clearly centered on the bilateral conflict over Kashmir and does not include a trans-regional or global strategy (Kristensen and Korda 2022c). Israel's ambivalent policy of not declaring its nuclear weapons

possession likewise eludes expansive tendencies of nuclear deterrence. In the case of North Korea, an increasingly aggressive nuclear deterrence policy, including threats against South Korea and the United States, can be observed, but this does not structurally involve any other state either.

A more event-related example of Eurocentrism and less indicative of practice than of the academic debate can be found in the narrative of the Cuban Missile Crisis. From a post-colonial standpoint the scientific discussion of the crisis was shaped by the major powers, neglecting the perspective and interests of the subalterns and thus contributing to the reproduction of international hierarchies (Laffey and Weldes 2008). Although the Cuban Missile Crisis is probably the most studied security crisis in history, much of the literature had marginalized Cuba's role as a site of action, while spotlighting the United States and the Soviet Union as actors.

Primacy of the state

An important theme of post-colonial studies, especially in TWAIL, is to reconstruct the contemporary state system and the primacy of statehood in international relations as a consequence of the globalization of European international law, which was driven by colonialism. The primacy of the state as the organizing principle of international relations and law would go back to the European Renaissance. Grotius and Vattel, pioneers of international legal theory, applied Hobbes' concept of the anarchic state of nature, in which all men are equal (Hobbes 2017), to European international relations and international law in the 17th and 18th centuries, using the idea of state sovereignty in the sense of the legal personality of sovereign states (Grotius 2010). Since its emergence, the discipline of IR has also seen states as the primary actors (Morgenthau 2006).

The Peace of Westphalia of 1648 was thus regarded as the cristallizing point for the establishment of European international law and the creation of a system of independent states, which then had expanded through the system of colonial empires in the course of the 19th century (Koskenniemi 2010). The globalization of the concept of statehood was completed in the 1960s with the emergence of new nation states in Asia and Africa within existing borders and legal frameworks, ironically as a result of decolonization. From this historical perspective, the establishment of the international system of states in the 19th and 20th centuries followed the European model, which had been based on the principle of sovereignty and non-interference within Europe between the 15th and 18th centuries. In the process, European states built colonial empires outside Europe, violating the same principle when it came to non-European territories, which were considered *terra nullis* (Anghie 2004, Theurer and Kaleck 2020b, p. 12).

Post-colonial analyses reveal further implications of the primacy of state sovereignty. For example, that it would propagate the idea that the interest of the nation (the people, the population) is represented by the state (Biswas 2016). The

norms for the protection of the integrity of the territory and the prohibition of any intervention are derived from this assumption. As a result, this ideal would promote the reproduction of the colonial or imperial legacy, especially in international law (Anghie 2004, Anghie 2016). Paradoxically, this would succeed precisely because the premise of formally equal sovereigns obscures the structural inequality and practice of double standards in world politics. Therefore, the primacy of statehood itself is problematized and seen as part of Europe's history of expansion (Biswas 2016, p. 224). The concept had been and would continue to be used for the exploitation of resources and the dissolution of social and cultural structures in the colonized states.

Moreover, the geographical boundaries were drawn by the colonial states, which divided and pitted the existing communities against each other in the struggle for access to resources (Biswas 2016, p. 224). The states that were created in this way would be so fragile and fragmented that many of them would be unable to develop genuine sovereignty, either internally or externally. The continuity and universalization of the Westphalian system had even provided the basis for powerful states to keep building empires, albeit not in the formal form that they did in the 19th century (Anghie 2016). Empirical examples of recent developments would point to a comeback of rivalries between great powers and the return of imperial states, driven by the desire to secure "one's own" territories, spheres of influence and economic interests.

Regarding the nuclear order, the primacy of the state finds expression in the prevailing principle of state security when it comes to assessing nuclear risks and threats. It is assumed that the state is the (legitimate) protector of its population and territory. Ensuring state security and survival is therefore the goal of mainstream nuclear weapons policy. The sovereign state thus becomes both the subject and the object of nuclear security. It appears both as the agent responsible for creating security and as the beneficiary, since security means above all state security (Laffrey and Nadarajah 2016, pp. 128–129). Until recently, the consequences of nuclear policy and nuclear use were viewed primarily in terms of safeguarding state existence (of nuclear weapon states and their allies), not in terms of the humanitarian and ecological effects of nuclear weapons activities on the people affected and the environment.

Academia and think tanks in security studies would contribute to this nuclear weapons discourse. Most of them would work in nuclear weapon states and nuclear umbrella states and, due to their bias, propagate the state-centric view and shared practices in line with the discourse shaped by the states that dominate the nuclear *status-quo*. This would reinforce a conservative nuclear policy that prioritizes a stable international order dominated by nuclear powers (Craig and Ruzicka 2013, Biswas 2014, pp. 25–26). Thus, an influential epistemic community has emerged that maintains an orientation towards state security, or rather the security of nuclear weapon states. As a result, little attention has been paid in the political and scientific de-

bate to those affected by nuclear weapons use and testing, or to the ecological and transnational effects.

The primacy of the state not only has implications for the security value of nuclear weapons. It also promotes their status as a symbol of national prestige. The connection between nuclear weapons and national pride and identity has been increasingly studied. The image of prestige and political power, as well as domestic political dynamics play an important role in anchoring nuclear weapons in the politics, economics, and culture of certain countries (Sagan 1996, Hymans 2006, Ritchie 2013b). Nuclear weapons development, possession and nuclear deterrence would be associated by these states with the idea of being important players on the global stage. They become a reflection of states' national identity and self-esteem. To be an important world leader, countries would need nuclear weapons as a mirror, as an enabler of this power (Ritchie 2013b).

Interestingly, nuclear weapons seem to have a particularly high identification value for nation states with traditionally high power projection, but whose international influence and imperial status have declined sharply, such as Russia and France. Here, even more than in other nuclear weapon states, the nuclear security doctrine becomes an integral part of the *raison d'état* and is almost mystified as a national sanctuary. Nuclear status ensures these states a remnant of materialization of their imperial phantom, becoming the last remaining proof of global *rayonnement* (radiation), in the bitter sense of the word. The need to maintain nuclear weapons as a badge of superpower is further supported by the link between official nuclear status and permanent membership of the United Nations Security Council, which associates the possession of nuclear weapons with exclusive power in the international order.

Racism

Post-colonial scholars examine how racist colonialism has created and reproduced patterns of thought and forms of representation of ethnic superiority and inferiority. Racism played a key role in legitimizing the systematic exploitation and massive violence against indigenous people. Studies criticize that in global politics and in the academic debate, countries are still assigned to different categories such as First and Third World, developed and underdeveloped countries, etc. These distinctions would not be neutral and would not only refer to geographical regions or economic facts, but would also include certain notions of culture, religion and ethnicity and thus incorporate a racist connotation (Theurer and Kaleck 2020b, p. 24).

From a post-colonial viewpoint, such attributions involve a discursive (re-)production of identity on the basis of primarily binary categories and stereotypical contrasts such as "civilized" versus "uncivilized" and numerous variations, which, however, always follow a clear hierarchical order (Said 1978). The Orient, for instance, would be portrayed in a racist (and sexist, see below) manner as "regressive", "emo-

tional", "barbaric", etc., while the Occident appears as "progressive", "rational", "civilized", etc. (Said 1978, Chakrabarty 2008). In this way, the subaltern had already been discursively prepared as an object of conquest and exploitation for the Occident. Non-Western inferiority would be taken for granted, while heterogeneity and hybridity, mutuality and interpenetration would be neglected (Bhabha 1994).

Numerous TWAIL studies postulate that this form of racism is still expressed in international law today through double standards. These would rely on the division of the international community into civilized, barbarian, and savage peoples when international law and its legal categories developed in the 19th century (Koskenniemi 2010). Only the first group was fully entitled to the rights derived from sovereignty. However, it was assumed at the time that the other groups would benefit from the international legal order as a whole despite being disadvantaged. The racial devaluation, post-colonial scholars argue, persists until today, facilitating unequal treatment in global politics and international law. The civilizing mission would not only be a historical phenomenon of the 19th century, but would be deeply anchored in international law and international institutions and continue to have an impact today, carrying forward the idea of civilizing progress (Anghie 2016).

After the International Convention on the Elimination of All Forms of Racial Discrimination came into force in 1969, new justifications were needed to maintain double standards. In numerous studies on various topics, TWAIL scholars analyze how racially rooted differentiations continue to operate, even if they are justified differently today (Anghie 2004, Mégret 2006, Orford 2006, Kaleck 2012, Bernstorff 2017, 2018). The discourse on modernization and progress is often highlighted as an example of the continuation of the discriminatory civilization narrative (Skouteris 2009). While the term "civilization" had since been consistently banned in the course of decolonization (Bernstorff and Dann 2019), the idea would have remained as a driving force, perpetuating a racially inspired worldview and world order. Through the narratives of modernization and progress, cultural differences could be explained as different stages of a unified process in which Europeans were once again ahead (Koskenniemi 2010, pp. 74–76).

A post-colonial perspective can help to expose how racism and practices of "othering" contribute to the enforcement of Western or imperialist views and imagination in the nuclear order. Comprehensive field research, among others at Lawrence Livermore National Laboratory and the Nevada Nuclear Test Site in the 1980s, including interviews with nuclear research and development program staff and anti-nuclear activists, revealed the phenomenon of "nuclear Orientalism" (Gusterson 1996, 1999). The term designates a racist attitude that clearly divides the West from the rest of the world when it comes to nuclear weapons. While the West is seen as a responsible and rational actor whose handling of nuclear weapons contributes to global security, actors from the Global South are classified as impulsive, unpredictable, etc., and are therefore denied the ability to handle nuclear weapons

responsibly. Based on this dichotomy, the NPT would legally solidify a discriminatory nuclear regime that is racially justified in Western public and professional discourse (Gusterson 1996, p. 6, Biswas 2014, pp. 75–108). The distinction between states that can be trusted to possess nuclear weapons and those that cannot would be based on prejudices, such as that states in the Global South are too poor and technically incompetent to have nuclear weapons, that they cannot handle nuclear deterrence in a stabilizing manner or lack political maturity (Gusterson 1996, p. 6).

These common assertions about why the official nuclear weapon states can be trusted with nuclear weapons and "the others" cannot are questionable. For even nuclear weapon states get into dangerous crises and have considerable security problems despite the technical excellence of their nuclear deterrent system (Schlosser 2013). As for the political maturity of the nuclear powers, Donald Trump's erratic nationalist foreign policy and Vladimir Putin's repeated military aggressions and nuclear escalations provide grounds for skepticism. It is therefore not surprising that the view from other regions is sensitive to the racial dimension, as a historical study on the nuclear policy of the United States in Asia during the Cold War demonstrates (Jones 2010). The connection between the quest for nuclear supremacy and non-proliferation policy is also examined as a system of apartheid because of an alleged inherent racial bias (Maddock 2010). In fact, states such as India and South Africa have also denounced the supposedly racist nature of the nuclear order or the NPT as "nuclear apartheid" (Singh 1998, South Africa 2015). Even if this comparison is not entirely accurate against the backdrop of China's official nuclear weapons status, it highlights the tendency to exclude and marginalize people of colour and actors from the Global South when it comes to nuclear issues.

The patterns of distinction become particularly clear when the negative effects of building and maintaining nuclear arsenals and nuclear deterrence come into play. The history of nuclear weapons testing can hardly be reviewed without taking racist conceptions into account (Bergkvist and Ferm 2000, pp. 6–11, Jacobs 2013, Johnson 2018). The tests mostly took place in indigenous areas and colonized locations. The United States carried out over 1,030 tests, 904 of them at the Nevada Test Site alone, traditionally Western Shoshone and South Paiute land. Others were conducted near the Aleutian Island of Amchitka in southwest Alaska; Ruliso and Rio Blanco in Colorado; Hattiesburg, Mississippi; and Alamogordo and Farmington in New Mexico. 106 explosions were detonated on the islands of Bikini and Eniwetok Atoll and on Johnson and Christmas Island. The Soviet Union conducted 715 tests, mainly in Kazakhstan at the Semipalatinsk Test Site. The United Kingdom conducted 45 tests in Australia on Aboriginal territory and in the Pacific (Monte Bello islands) and in cooperation with the United States at the Nevada Test Site. France conducted 210 tests, including 17 in Algeria and 193 in French Polynesia. China tested its nuclear weapons 45 times at the Lop Nor test site in Xinjiang, on Uyghur territory.

The nuclear weapons tests had far-reaching health, ecological, economic, social and cultural consequences for the local populations (Prăvălie 2014, Jacobs 2022). Their homeland and their (natural) living environment were destroyed. An increasing number of case studies, taking into account the colonial dimension, show the devastating costs of United States testing for indigenous peoples in New Mexico (Masco 2006), Nevada (Frohmberg *et al.* 2000, Johnson 2018) and the Bikini Atoll (Pincus 2021). Similar conclusions are drawn from French nuclear weapons tests that were carried out in Algeria until its independence in 1962 (Panchasi 2019) and then transferred to the Polynesian islands (Philippe and Statius 2021), which were also appropriated during the French colonial period. The disproportionate effects of British tests on the native peoples of Australia (Tynan 2016, Hawkins 2018) and Kiribati (Becky *et al.* 2021), as well as the tests of the Soviet Union on the local population in Kazakhstan (Hennaoui and Nurzhan 2023) have also been studied. Less is known about the situation in Xinjiang, where the People's Republic selected its test site in the same way. In all these places, residents were displaced and relocated and are still suffering from the consequences of the radioactive fallout, the deprivation of access to traditional food sources and the loss of their natural and cultural habitat (Baldus *et al.* 2021, pp. 8–12). In July 2017, at the TPN Negotiating Conference, 35 indigenous groups from different countries criticized that "governments and colonial forces" had tested nuclear weapons on their sacred lands, complaining that they were "never asked for" and "never gave permission to poison our soil, food, rivers and oceans" (RCW 2017a).

Economic exploitation

Early anti-colonial literature already dealt with the capitalist exploitation of the disadvantaged or "the wretched" in (formerly) colonized countries (Fanon 1969). Accordingly, European prosperity was built on the backs of slaves and grown out of the soil of the underdeveloped world (Fanon 1969, p. 75). The colonial regimes had robbed the colonized territories of the raw materials they needed for their industry. Only the renunciation of capitalism and the election of a socialist regime, it is argued, could therefore end the economic exploitation (Fanon 1969, pp. 75–84). Young nations that had declared themselves independent would otherwise continue to be forced to maintain the trade relations established by the colonial regime. World-system theory (Wallerstein 1974, 1980, 1989), which is also based on Marxist tradition and was influential for a long time, supports this assumption of a genuinely exploitative world economic system that has its historical roots in colonialism and lives on in global capitalism. Consequently, fundamental social change and emancipation would depend on overcoming an unjust neo-colonial division of labor. The essential units of the world-system, however, would not be nation states, but transnational zones of privileged core countries, dependent semi-periphery countries and marginalized periphery countries, whose composition can change over

time. This contradicts modernization theories that assume a single evolutionary path of progress for all countries and overlook the transnational structures that limit local and national development.

Contemporary post-colonial scholarship also examines imperialism as an early form of economic globalization and pays attention to the role of modern forms of capitalism (Hardt and Negri 2000, Anghie 2016). Institutions of the world economic order such as the WTO, the International Monetary Fund (IMF), and the World Bank, but also regimes for the protection of intellectual property or foreign investments as well as numerous free trade agreements are important objects of study in this regard. TWAIL scholars attempt to define the essential features of contemporary international law on the basis of political economy (Chimni 2017). In doing so, they aim to shed light on the accumulation of capital at a global level and determine the social forces and features of international law that drive this process. Some of these approaches go astray when they make sweeping references to an obscure and abstract "transnational capitalist class" as the causative agent, which would be supported by all other relevant actors (Robinson and Harris 2000), including international organizations (Chimni 2004). Such analyses are largely dystopian and drift into conspiracy-theory. Nevertheless, the evidence of structural relations of exploitation in international trade and economic law, originating in the colonial era and continuing in various forms, represents an important contribution of post-colonial studies.

With regard to nuclear weapons, recent Marxist-inspired contributions also note a tendency towards the exclusive accumulation of specific "goods". This would not only stem from their explosive capabilities, but also from the central social value attributed to them, namely that of power (Harrington de Santana 2009, p. 327). Nuclear weapons would thus (in line with capitalist logic) serve the enrichment with power. Through the close association with their deterrent property, they would become a physical embodiment of power in the community of states, similar to how money became the physical embodiment of social value and wealth in society (Biswas 2014, pp. 109–134). While in Marxist doctrine money becomes an expression of commodity fetishism, nuclear weapons would constitute the mature expression of the fetishism of force. Just as money would decide the opportunities and position of the individual in the social hierarchy, nuclear weapons would determine access to power and thus the position of states in the international order. This would explain that they were accumulated in excessive numbers in arms races, although they were useless in themselves and should supposedly never be used.

The nuclear deterrence doctrine and ideology of "mutually assured destruction" (MAD), others agree, had created a truly "mad" doomsday machine that contradicts all rationality and is ultimately self-destructive (Ellsberg 2017, Acheson 2018b). The nuclear complex driving this would be a very expensive system of men, machines, institutions, etc. that would most likely wipe out the world and human life (Acheson

2018b, p. 339). In the United States, this would rely on a long-established political economy of war that pursued only its own ends and turned arms production into a low-risk business that was less about the efficient production of military goods than about the maintenance and enlargement of the entire military-industrial empire (Melman 1970, p. 65). Since the end of the Second World War, it is argued, a perception of international relations, according to which war and aggression loom everywhere, would have contributed to the emergence of a permanent-war economy (Mills 2000, pp. 185–186). The massive increases in military spending, others add, would derive from the intertwining of the defense industry with the military and political elite, especially when it comes to nuclear weapons (Hartung 2017, pp. 56–58). This development would be supported by a hidden architecture of think tanks, academic institutions and lobbyists who would advocate and ensure high levels of investment in nuclear weapons (Cabasso 2017).

It is certainly a combination of several factors, including those mentioned above, that lead to high and rising nuclear military expenditure. This is illustrated by the annual figures of the Stockholm International Peace Research Institute on the status and development of nuclear arsenals and delivery systems worldwide (SIPRI 2024, pp. 271–358). Maintaining nuclear deterrence is a global trillion-dollar business. NGOs regularly compile reports on which companies and investors, banks, funds and insurers profit from it and to what extent (Snyder 2017, Muñoz 2022), but also on who pulls out (Snyder 2022). Commissions and capital flow into the construction, modernization and upkeep of arsenals, carrier systems, infrastructures and development centers. As all of this is financed with public taxpayers' money, which is consequently lacking for other expenditure (health, environment, education or social sector), we are dealing with a considerable redistribution of wealth. In turn, there is usually no money to compensate for the externalized costs of the nuclear arms race, which are largely borne by indigenous populations and marginalized groups.

The economic and financial attraction of nuclear power particularly exacerbates the exploitation of people and the environment in poorer countries. As a striking example of (capitalist) exploitation in the nuclear order, reference is repeatedly made to uranium mining on the backs of indigenous people. A glance at global uranium extraction and the ten largest mines in the world, in which primarily native populations are exploited confirms the neo-colonial character of this industry (NFFF *et al.* 2020, pp. 28–29). The health impact of this practice is also documented, at least in the United States (elsewhere the data situation is much poorer or non-existent). Cancer rates among the Navajo Nation increased between the 1970s and 1990s, and abandoned mines continue to contaminate the groundwater (Brugge and Goble 2002). Poor working conditions in the mines and hardly any redress for damage to health characterize the treatment of those affected to this day. While some of them have received compensation under the Radiation Exposure Compensation Act, most

indigenous people affected by global uranium mining have received nothing (NFFF *et al.* 2020, pp. 10–23).

Patriarchal domination

Numerous post-colonial approaches have identified the binary sexual and gender categorization as a legacy of colonialism (Gunn Allen 1992, McClintock *et al.* 1997, Mohanty 1997, Oyewùmí 1997, Sigal 2003, Lugones 2007). The gendered division of people into two categories would have resulted in a devaluation of the constructed subject "woman". This, in turn, would have been a necessary prerequisite and component of the violent subjugation and cultural devaluation of indigenous populations. Studies on the effects of patriarchal domination attempt to reveal this with regard to different indigenous peoples (Lugones 2007, Theurer and Kaleck 2020b, pp. 24–27). From a post-colonial lens, social identity was historically constructed through the discursive (re)production of primarily binary categories of difference. Gender (as a social role expectation) and sexuality have a prominent meaning in this context.

To illustrate this, here are some examples of studies on the spread and enforcement of binary gender roles in the course of colonial history. An influential feminist-inspired study examines the physical and cultural genocide of the indigenous population of the Americas as a consequence and expression of the patriarchal fear of gynocracy (Gunn Allen 1992). Accordingly, the colonizers of European origin – Puritans, Catholics, Quakers and Missionaries – resented the fact that women held key and decision-making positions in indigenous communities and participated in meetings with settlers. Many First Nations, it is argued, were organized matriarchally. Their social structure had been based on a system of reciprocity that provided for two complementary leadership roles: Domestic leadership (responsible for cohesion and managing internal affairs) was in the hands of a woman, while foreign leadership (responsible for mediating between the community and outsiders) was the responsibility of a man. Some First Nations would have assumed that the primary force in the universe was female (Gunn Allen 1992, pp. 41–42). The creative primacy of the feminine had been suppressed and replaced by a masculinized Christian image of creation. The instrumentalization of colonized men, who readily appropriated patriarchal role models and could thus be used as agents to enforce patriarchal domination, had also played an important role.

Further case studies show that socially recognized (ritual) same-sex practices and male homosexuality in colonial and pre-colonial America were quite common and an important projection surface for white aggression (Sigal 2003). Others examine social structures in indigenous communities that do not necessarily have to be gendered or in which gendered categorization is not a priority (Oyewùmí 1997). Instead, social roles in the examined communities would depend more on relative age. By contrast, the imported social model of the nuclear family with its origins

in Europe, would have contributed to establish structural economic dependencies of women on men and destroyed the structure of traditional communities in which gender had not been a major organizing factor.

What these studies have in common is that they use an intersectional approach in order to uncover the extent to which sexism and racism (and possibly other attributions) are inscribed and interwoven in the exercise of colonial power (Lugones 2007, Theurer and Kaleck 2020b, pp. 24–27). The concept of intersectionality takes into account the overlap and simultaneity of a person's different social identities and incorporates various factors of advantage and disadvantage (gender, race, class, religion, physical appearance, etc.) in a comprehensive analysis of discrimination. Colonialism did not simply impose European notions of gender roles on the colonized. Instead, a new system of ascribing relationships between gender and race had emerged in which colonized men and women were assigned different roles than their white counterparts (Lugones 2007). White European women, for example, were characterized as fragile and sexually passive, while black women were ascribed a level of sexual aggression that gave them the strength necessary to perform the hard slave labor in the South of the United States (Hill Collins 2009, p. 82). Black female slaves were portrayed as overly sexually desirable and endowed with inexhaustible fertility. They were not allowed to nurse their own children and instead served as wet nurses for white children and as emotional and physical comfort for their white owners.

Perhaps the clearest manifestation of patriarchal violence in the nuclear order are the greater impact and long-term effects of nuclear weapons on the health of women, young children, and the unborn. Long-term exposure to ionizing radiation increases the risk of cancer for women and growing children more significantly in comparison to men (UN 2008). In a long-term study, women survivors of the nuclear weapon drops on Hiroshima and Nagasaki showed a twofold increase in mortality over men due to ionizing radiation (Ozasa *et al.* 2012). Studies on women's health following the use of nuclear weapons against Japan, as well as the tests on the Marshall Islands or in Kazakhstan and the reactor accidents in Chernobyl and Fukushima, show high rates of stillbirths, miscarriage, congenital birth defects, effects on reproductive health and breast cancer. The gender-specific consequences of radiation go even further when the everyday behavior of women, which is associated with greater exposure, is taken into account. For example, Marshallese women bathed in contaminated water and commonly ate bones and organs from fish in which radioactive isotopes had accumulated to a greater extent (Georgescu 2012). The health, economic and socio-cultural effects of nuclear weapons production, testing and maintenance thus vary according to gender, but also race and class (Choi and Eschle 2022).

But it is not only the disproportionate level of physical violence that makes the gender dimension significant for the analysis of nuclear weapons. Discursive patriarchal violence also plays a major role. For example, masculinity and men-slang

appear to be particularly prevalent in nuclear discourse when examined through a critical lens. Early analyses of the language of defense intellectuals reveal the emotional currents in this overtly masculine discourse (Cohn 1987b, 1987a). Nuclear strategies, planning and war scenarios would be largely dominated by gendered codes. Expressions such as "vertical erector launchers", "soft lay downs" or "deep penetration" etc. would be examples of such gendered symbolism that translates sexual potency into military power (Cohn 1987a, p. 693). Through the connection of sex and death, by linking masculinity with the ability to exercise maximum violence, the seriousness and deadly consequences would be downplayed. These findings about macho language have also been confirmed in cultural anthropological studies of the Los Alamos milieu (Gusterson 1996). Not only do comparisons of potency fuel the risk of nuclear escalation in conflicts (Hach 2018). The notion of masculine strength in relation to nuclear weapons (seen as instruments of male power), would also be one of the main obstacles to their elimination (Cohn *et al.* 2006). The gender-connoted juxtaposition of rationality (male) and emotionality (female), by valorizing supporters of rearmament as rational decision-makers and devaluing advocates of disarmament as emotional dreamers, would make it difficult to develop, articulate and implement alternative security concepts (Cohn and Ruddick 2004). A gender-sensitive analysis of reactions to the anti-nuclear weapons campaign yields a similar result, revealing classic patriarchal rhetoric, attributions and tactics (Acheson 2019).

Finally, studies show that women are underrepresented in the decision-making processes and bodies of the (nuclear) arms control and disarmament architecture (Dwan 2019, Hessmann Dalaqua *et al.* 2019). The more important a body, the fewer women are represented and the less often they are in leadership roles. While the proportion of women has increased in recent years, they take up only 32% on average in groups of 100 or more, and only 20% in smaller formats (Hessmann Dalaqua *et al.* 2019). 76% of delegations in disarmament fora such as the UN First Committee, the Conference on Disarmament in Geneva or the NPT conferences are led by men (Dwan 2019, p. 3). However, simply appointing women to top positions would not automatically change the patriarchal structures and constraints in the security discourse. Rather, space would have to be opened up inside and outside the institutions where women and people of diverse gender identities (but also ethnic and social backgrounds) could contribute diverse perspectives (Acheson 2021b, pp. 28–29). While the importance of women in nuclear arms control and disarmament is increasingly discussed, the situation of LGBTQ remains largely unconsidered and has hardly been studied.