



## DISARMING CONFLICT: LAW'S FINAL STAND

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What does disarming mean? -Disarming in a literal sense means taking away weapons or making something harmless, or “*the act of giving up or taking away the weapons.*”<sup>1</sup> Disarming conflict refers to eliminating dangerous or harmful weapons that can cause massive destruction during wars. In the current global scenario, where many countries possess nuclear capabilities and tensions flare over numerous issues, even a minor misunderstanding, a clash of egos, or a misstep could trigger the use of these devastating weapons. The consequences would be catastrophic—Similar to that mentioned in the *Mahabharata*, *Brahmastra*, fired by *Ashwatthama* and *Arjuna*, said to have the power to destroy the world.

This is a critical issue that demands urgent attention. One wrong diplomatic move could provoke a nation, leading to unimaginable destruction and the loss of crores of innocent lives, people living peacefully, nurturing hopes and dreams, unaware of the geopolitical tensions brewing above them. Efforts like fostering friendly diplomatic relations and delivering thoughtful, measured responses in tense situations can help prevent escalation. However, such efforts aren't always mutual; even if one nation acts responsibly, there's no guarantee the other will reciprocate.

History reminds us how strained international relationships can lead to disaster—the nuclear bombings of Japanese cities are stark examples. The aftermath of those two attacks is still etched into the daily lives of survivors. Those islands are still facing the consequences of the nuclear attack by the USA, and currently, the nuclear bombs we have are 3,000 times more powerful than the nuclear attacks on Japan that occurred during the final days of **World War II**, in August 1945. The United States dropped two atomic bombs:

- Hiroshima was bombed on August 6, 1945, with a uranium-based bomb nicknamed

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<sup>1</sup> Cambridge Dictionary Press, “Disarming”, Cambridge Dictionary, ([DISARMAMENT | English meaning - Cambridge Dictionary](#))

Little Boy.

- Nagasaki followed on August 9, 1945, with a plutonium-based bomb called Fat Man

The bomb dropped on Hiroshima killed an estimated 80,000 individuals instantly, with an additional 60,000 succumbing to radiation sickness later. Nagasaki experienced similar devastation, with around 70,000 immediate fatalities and substantial structural damage.<sup>2</sup>

Just days later, on August 15, Japan announced its surrender, and the formal signing took place on September 2, 1945, effectively ending the war. The effect of these two attacks is still visible in the lives of common people living on the islands of Japan.

To prevent such devastation in the future, the law remains our most reliable shield. Through international policies and treaties, nations can work to restrict the use of nuclear weapons. But these policies only work if all countries genuinely commit to them. Fortunately, several legal instruments already focus on disarmament, and still, we have several policies that focus on the disarmament of nuclear weapons, such as:

- Treaty on the Non-Proliferation of Nuclear Weapons (NPT)
- Comprehensive Nuclear-Test-Ban Treaty (CTBT)
- Treaty on the Prohibition of Nuclear Weapons (TPNW)
- Strategic Arms Reduction Treaties (START I, II, and New START)
- South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga),
- Treaty of Tlatelolco, and other nuclear-weapon-free zone treaties

**Treaty on the Non-Proliferation of nuclear weapons (NPT):** The NPT, in effect since 1970, is central to efforts to curb nuclear weapons. It divides nations into nuclear and non-nuclear states. Nuclear powers commit not to share or help others acquire weapons, while others agree not to pursue them. It promotes disarmament and peaceful nuclear energy. With 191 members, it's widely supported, though critics argue it favours the major powers and that Article VI's promise of disarmament remains under-fulfilled.

**Comprehensive Nuclear-Test-Ban Treaty (CTBT):** Adopted in 1996, the CTBT bans all nuclear explosions, whether military or civilian. Its goal is to halt the advancement of nuclear

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<sup>2</sup> Elton B. Stephens Company(2022) Official Report On Hiroshima and Nagasaki Atomic Bombings Issued, ([Official Report on the Hiroshima and Nagasaki Atomic Bombings Issued | EBSCO Research Starters](#))

weapons technology. Though signed by 187 countries and ratified by 178, it hasn't entered into force due to non-ratification by key states. Still, it represents a strong global consensus and includes a wide-ranging monitoring system to detect nuclear tests.

**Treaty on the Prohibition of nuclear weapons (TPNW):** The TPNW, adopted in 2017 and in force since 2021, is the first global treaty to ban nuclear weapons entirely. It prohibits development, testing, possession, and use, and bars assistance in such activities. While nuclear-armed states haven't joined, the treaty's strength lies in its humanitarian vision, led by non-nuclear countries and civil society. It reflects growing global impatience with slow disarmament.

**Strategic Arms Reduction Treaties (START I, II, and New START):** START treaties are agreements between the U.S. and Russia to reduce strategic nuclear weapons. START I (1991) led to significant cuts. START II (1993) aimed to ban certain warheads but never entered into force. New START (2010) limits deployed warheads and includes verification measures. Despite strained relations, it remains a key pillar of nuclear arms control.

**South Pacific Nuclear Free Zone Treaty (Treaty of Rarotonga):** This 1985 treaty declared the South Pacific free of nuclear weapons. It prohibits testing, manufacturing, and possession of nuclear devices and bans dumping radioactive waste at sea. It extends the legacy of Tlatelolco, addressing the past nuclear tests' environmental and health damage. It also includes protocols for nuclear states to respect the zone.

**Treaty of Tlatelolco and Other Nuclear-Weapon-Free Zone Treaties:** The Treaty of Tlatelolco (1967) established a nuclear-weapon-free Latin America and the Caribbean. Similar treaties in Africa (Pelindaba), Southeast Asia (Bangkok), and the South Pacific (Rarotonga) followed. These regional zones aim to insulate large areas from nuclear threat and help normalise disarmament. Their collective impact promotes regional peace and global awareness.

And our country, India, has not signed any of these treaties but follows a policy named - No First Use Policy, and has always preferred peace and dialogue over war. Our ancestors have always valued dialogue over conflict, and this epic of the Mahabharata resonates with this idea. As in the epic *Mahabharata*, Lord Krishna demonstrated his commitment to peace by serving as the *shanti doot* (messenger of peace) for the Pandavas before the war—a powerful example that underscores the value of resolving conflicts amicably.

This belief is deeply rooted in history and is further reflected in India's global stance. Our country's No First Use nuclear policy exemplifies our preference for peace over aggression, pledging not to use nuclear weapons unless first attacked. Such a principle highlights India's emphasis on safeguarding humanity rather than resorting to destructive measures.

However, I believe that nuclear disarmament holds global significance, not just national importance. In today's interconnected world, the ripple effects of nuclear weapons extend far beyond borders, emphasising the urgency of collective action.

And law can be the means of those collective actions -

**Revitalisation of Multilateral Treaties:** Bringing essential reforms in existing disarmament treaties like the NPT and CTBT means holding nations accountable and renewing global trust. Countries must recommit to their obligations, close loopholes, and modernise agreements to reflect today's geopolitical realities. A reinvigorated legal framework would strengthen international cooperation and restore momentum toward genuine nuclear disarmament.

**Negotiate a Fissile Material Cut-off Treaty (FMCT):** An FMCT would legally ban the production of fissile material—like plutonium and highly enriched uranium—for nuclear weapons. It's a critical step in freezing global stockpiles. Negotiating this treaty requires consensus and transparency, especially among nuclear states, to close gaps in existing law and build a verifiable path toward disarmament.

**No First Use (NFU) Policies:** NFU means a country pledges never to use nuclear weapons unless attacked with them first. Legally enshrining NFU can lower nuclear tensions, reduce the risk of miscalculation, and build international trust. Encouraging nuclear states to adopt this policy could reshape global security norms without compromising national defence.

**Create a Global Disarmament Convention:** A comprehensive disarmament convention would bring all states together under one legal umbrella to eliminate nuclear weapons. Unlike piecemeal treaties, it would offer a unified framework with timelines, verification measures, and accountability. This bold legal leap could set a new global standard, replacing deterrence with cooperation and shared security.

But this can not only be done with legal policies, disarming conflict requires a blend of diplomatic, legal, societal, and technological efforts—no single nation can do it alone.

1. Establish more Nuclear-Weapon-Free Zones (NWFZs) to insulate entire regions from nuclear danger.
2. Enhance Verification and Transparency by strengthening international monitoring and building trust among nations.
3. Empower Civil Society and Youth through education, activism, and public discourse to pressure governments and shape future policy.

Together, these efforts can transform a dangerous legacy into a future of peace. In today's volatile world, where a single misstep can trigger devastating consequences, nuclear disarmament is more urgent than ever. The destructive power of nuclear weapons doesn't just threaten borders; it endangers lives, hopes, and the very fabric of humanity. While legal instruments like the NPT, CTBT, and India's No First Use policy provide a foundation, disarmament can't rely solely on treaties. It needs shared commitment, political courage, and public consciousness. History has shown the costs of silence and inaction. We must now choose dialogue over destruction, cooperation over confrontation. As law students, leaders, and citizens, we carry a responsibility to uphold peace not only through legal frameworks but through advocacy, education, and collective will. A world free from nuclear threat isn't naive; it's necessary. And it begins with understanding the stakes, believing in change, and refusing to accept weapons of mass destruction as the norm. The time to act legally and morally is now.