Chapter – II

KASHMIR, HUMAN RIGHTS AND TERRORISM

Three most significant issues that influenced India-US ties during the Clinton era were the inter-related issues of Kashmir, human rights and terrorism. While the first two issues bedeviled the ties between New Delhi and Washington during this period, gradual realization on the part of the Clinton administration of the dangers of terrorism for democratic societies brought Washington closer to New Delhi. This work, therefore, proposes to examine in this chapter, how these issues contributed to the “ups” and “downs” in Indo-US relations during the period under review.

THE KASHMIR CONUNDRUM

The first and foremost problem that troubled India-US ties during the first Clinton’s first term was the Kashmir dispute, as both human rights and nuclear proliferation issues have had been related to this dispute. The US attitude towards this problem was of course, not positive to India. However, during a hearing held by the House Subcommittee on Asia and Pacific Affairs in March 1991, Deputy Assistant Secretary of State, Teresita Schaffer, stated that the UN resolution requiring a

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plebiscite in Kashmir, which had been strongly supported by Washington in the past, was no longer tenable, and that the United States now favoured bilateral negotiations to resolve the problem within the framework of the 1972 Simla Agreement. As a result, Pakistan was discouraged from raising the Kashmir issue in the United Nations. But as it shall be discussed later in this chapter, the Clinton administration's attitude towards the Kashmir problem invited sharp reaction from the Indian Government, Press and the Opposition parties.

Growing American Interest in Kashmir

It is, therefore, pertinent to ask here why the Clinton team focused so much on the Kashmir issue and thereby jeopardised an evolving friendship between India and the US as witnessed since the second Reagan administration. There were several reasons for an increasing American interest in Kashmir during the Clinton era:

First and foremost, the Clinton team was very much concerned about the possibility of a nuclear exchange between India and Pakistan over this issue. The US policy makers perceived that India and Pakistan, who had developed clandestine nuclear capability, could go to war, if the

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Kashmir dispute was not resolved. In order to prevent the use of such weapons of mass destruction, America wanted to bring both these countries into the nuclear non-proliferation fold. A leading US expert on South Asia, Stephen P. Cohen, argued that “the road to accession to the NPT runs through Kashmir.” The same view was once again reiterated by Stephen P. Cohen during his address in October 2003 at Chennai. The United States thus saw a close link between regional instability, nuclear programmes of India and Pakistan and the Kashmir issue.

Second, the protection of human rights emerged as an important issue in President Clinton’s foreign policy which we shall discuss later. Since the misleading propaganda by Pakistan lobbyists and Kashmir secessionists in the US completely swayed some of the Congressmen and officials, the Clinton Presidency had to adopt a tough posture towards alleged human rights abuses in Kashmir. The lobbying efforts of the Kashmir American Council (KAC) were so successful that Dr. Gulam Nabi Fai (the major force behind the KAC) was able to exchange letters with President Clinton and redirect, although very briefly, the American stance on Kashmir. KAC lobbying of the US Congressmen also paid off.

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3 Indian Express (New Delhi), 2 March 1994.

4 Stephen P. Cohen in his lecture come discussion on “The United States and India: Divergent and Convergent Interest” (Chennai), 27 October 2003.

5 Indian Express, 2 March 1994.
when in 1993, Dan Burton, a Republican member of the House International Committee and Human Rights Committee, led a number of Congressmen to condemn India with regard to human rights violations in Kashmir, and planned to cut the US development assistance aid to India.⁶

Third, the Clinton administration’s initial posture regarding Kashmir was a part of a long-term plan to dominate Central Asia. The US interest was rekindled as a result of the geo-strategic location of Kashmir and its proximity to Central Asia. According to Hari Jai Singh, Washington had plans to use this State as a watch tower to observe and influence developments in the former USSR, China, South Asia and the Gulf. The break-up of Central Asian States of the former USSR obliged the US to try to prevent the Central Asian States from going back to Russia to form an alliance, either military or economic, which could jeopardize American interests in this area.⁷ The intensity of US interest in Kashmir after the Cold War lends credence to this argument.

Fourth, since the Clinton administration was facing a foreign policy flak on Somalia and Haiti, it was impatient and frustrated and


therefore looked for new issues to divert attention and restore its international credibility. The Clinton administration was not in position to afford a setback or an embarrassment on foreign policy just when it had begun to improve its rating. So, Kashmir was precisely used to fulfill their interest.  

Fifth, it has also been argued that the Clinton teams interest in Kashmir got a boost from their desire to exemplify the US role as the world's leading power and its concomitant responsibility to provide leadership to solve global conflict, and finally, to soften up India for concessions on other issues. Washington wanted India to join the Nuclear Proliferation Treaty (NPT), to respect the Missile Technology Control Regime (MTCR), to accept the US position on Tarapur Nuclear reactor and fully implement the provisions of the General Agreement on Tariff and Trade (GATT) accord.

Finally, Kashmir assumed a new significance in American perception due to its regional security concerns emanating from China after the demise of the USSR. To overcome this challenge, Kashmir was perceived as an important platform for containing Communist ideology

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8 India Today, 30 November, 1993, p.57.

in China. In early 1996, the Central Intelligence Agency (CIA) informed the US State Department about Chinese sale of 5000 Ring Magnets to A.Q.Khan Research Laboratory in Kahuta. The activities of China and Pakistan on the nuclear and missile front were a subject of intense debate at the time of passing the Brown Amendment. In addition, there were press reports of a secret nuclear reactor being built up in Pakistan with the Chinese help in providing unsafe guarded plutonium. One could thus see the existence of Sino-Pakistan military co-operation in the arena of missile and nuclear technology.\textsuperscript{10} Despite these, President Clinton, during his China visit, went on to display a strange addiction to engage China notwithstanding the ground realities in that country that went beyond all cherished principles of America. The Clinton administration, moreover, continued to extend the Most Favoured Nation (MFN) Status to China.

This understandably generated serious doubts about President Clinton’s commitment to human rights and non-proliferation. It may, therefore, be argued that President Clinton focused on India’s human rights records in Kashmir to divert the attention of the American public from Washington’s failure to confront Beijing on these issues, as China

was economically stronger than India to jeopardise American economic interest.

Emerging Tensions

In the light of above mentioned factors, it is not surprising to find as to why the Clinton administration made several adverse comments concerning Kashmir that created great fissures in Indo-US relations.

Washington’s altered line on Kashmir was, for example, witnessed during the New Delhi trip of John Mallot, the then US Principal Deputy Secretary of State for South Asia, in May 1993. He made an official statement on Kashmir dispute keeping three basic principles, which governed the US positions: (1) The US considered Kashmir to be a disputed territory, on both sides of the Line of Control (LoC); (2) this is an issue to be settled peacefully by India and Pakistan taking the wishes of the Kashmiris, both Muslims and non-Muslims, into account; and (3) the United States’s willingness to be helpful in this process, if that was desired by both sides. He suggested, “It is time for India and Pakistan to begin seriously to resolve the issue between them and put an end to their cold war”.

\[11\] For the text of John Mallot’s Speech at Indian International Center, New Delhi, on May 1993. See, Strategic Digest (New Delhi), July 1993, pp.57-60.
remark was the stress on taking the views of the Kashmiri people on both sides, a stand which had not been taken before.

It may be recalled here that after Bill Clinton won the US Presidential election, there were hopes in certain quarters that the Clinton administration would take a more serious look at Pakistani activities in Kashmir and would take appropriate steps to discourage Islamabad from fomenting regional instability. Such hopes were, however, soon dashed to ground, when Clinton’s reference to Kashmir in his address to the United Nations General Assembly... “bloody ethnic, religious and civil wars range from Angola to the Caucus to Kashmir”, evoked popular resentment in India.\(^{12}\)

A reference of this kind from the US President at an international forum was unprecedented. Responding to a question on the reasons behind the reference, Robin Raphel, the then US Assistant Secretary of State for South Asia, observed:

It was meant to say, we see Kashmir on a radar screen along with Yugoslavia and Somalia and lots of other places in the former Soviet Union, Georgia, where there is civil conflict going on. We cannot easily overlook it, and there is a message in that.\(^{13}\)


\(^{13}\)Ibid, 7 November 1993.
In continuation of her anti-India stance on Kashmir, Robin Raphel on October 28, 1993, questioned the very legal validity of Kashmir's accession to India. She said: "We view Kashmir as a disputed territory and that means we do not recognise the Instrument of Accession as meaning that Kashmir forms forever an integral part of India".\(^1\)

Rejecting the Simla Agreement of 1972 as a dead end, she observed, "We have simply observed that in the twenty-plus years since that accord was signed, it has not been used in anyway... to deal with the Kashmir dispute". She added, "On the contrary, the situation there continuous to deteriorate". She complicated the matter for India by hinting a prospect of a joint initiative with Russians on Kashmir. While she gave a positive certificate to the Kashmiri insurgents, she launched a visceral attack on India's human rights record in Kashmir.\(^2\)

To add fuel to the fire, Raphel favoured the then Pakistan Prime Minister, Benazir Bhutto, and praised her for not throwing cold water over Prime Minister, Narashima Rao's offer of a dialogue on Kashmir and for her readiness for a discussion with India over the Kashmir issue. Raphel thus came to Pakistan's rescue by dismissing openly "the

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Instrument of Accession as superfluous”. 16 This demonstrated her high
handed approach towards India and a cynical partisanship towards
Pakistan. A noted US expert on South Asia, Stephen Cohen,
acknowledged that in the past, the US had never publicly challenged the
legitimacy of the accession of Kashmir to India. Yet, at this time, in a
series of speeches and informal addresses, the traditional American
position on Kashmir was altered so that the US now openly declared all
of Kashmir to be a disputed territory. 17

The above mentioned remarks made by a senior American official
showing the US tilt towards Pakistan, understandably invited the wrath
of the Indian Government as well as the Opposition parties. The then
Indian External Affairs Minister, Dinesh Singh, India’s Ambassador in
the US, Siddharth Sankar Ray, and New Delhi’s official spokesmen, on
October 30, 1993, conveyed to the US that India would not tolerate any
outside interference on the Kashmir issue. Major political parties like the
Bharatiya Janata Party (BJP), Janata Dal, United Communist Party of
India (UCPI), Janata Party, etc., and intellectuals condemned the
statements made by Robin Raphel questioning the validity of Jammu and

16*Indian Express*, 29 October 1993.

and Chetan Kumar, eds., *South Asia Approaches in the Millennium* (Boulder
Kashmir's accession to India. Several statements made by the US officials and leaders thus put Indo-US relations in an unhealthy condition.

Cooling Down Temper

The sharp reaction from the Indian Government, Press and Opposition parties, made the Clinton administration to realise the negative fall-outs of ill-conceived statements and thereby to move towards damage control exercise. Accordingly, Selig Harrison, a Senior Associate at the Carnegie Endowment for International Peace, stated, "Raphael made a very grave mistake, completely inappropriate for an Assistant Secretary of State". The US State Department immediately arranged a meeting between Peter Tarnoff, the then US Under-Secretary of State for Political Affairs and Indian Ambassador, Siddhartha Shankar Ray, where Tarnoff assured India that the US considered the Simla Agreement to provide the best means for resolving Indo-Pakistan differences over Kashmir.

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Raphel during her visit to India in 1994 tried to smoothen Indian sentiments. In an exclusive interview to *India Today*, Raphel stated that she had never questioned Kashmir's Instrument of Accession and that 'the view that Washington questioning India's territorial integrity was put to rest within a day or two' cementing relationship between India and the US.

In the meanwhile, to demonstrate its firm stand on Kashmir, on 22nd February 1994, Indian Parliament adopted a unanimous resolution expressing the nation's resolve to resist any attempt to separate Jammu & Kashmir from the rest of the country by all necessary means. The resolution went on to demand that Pakistan must vacate the areas of Jammu & Kashmir, which they had occupied through aggression, reaffirming that Jammu & Kashmir is and shall be an integral part of India.

Further, Strobe Talbott's visit to both India and Pakistan in April 1994, brought about noticeable changes in US approach towards South Asia, namely, (a) de-linking of Islamabad's nuclear programme from


21 *India Today*, 15 April 1994, p.61. Also see, Jha, n.15, p.102.

New Delhi’s, and (b) de-linking of nuclear issue from the resolution of the Kashmir dispute. This dual de-linking resulted in a new shift in Clinton administration’s policy, not only towards Kashmir, but also towards non-proliferation in South Asia in general. This shift brought India and the US to a better understanding, facilitating Rao-Clinton Summit Talks in Washington in the summer of 1994. Both the leaders agreed on the need for bilateral negotiations between India and Pakistan to resolve the longstanding issue of Jammu and Kashmir within the framework of the Simla Agreement. On the whole, Rao’s visit to the US created a more relaxed atmosphere in managing Indo-US differences over Kashmir.

The period between 1994 and 1997, saw cordiality paving the way for dialogues between the US, India and Pakistan on areas of common interest includes nuclear proliferation and the long simmering conflict over Kashmir. The period witnessed stability and accepted the existing reality.

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25 Pioneer (New Delhi), 31 March 1996.
The undercurrents of change in Indo-US relationship became more apparent since the beginning of President Clinton's second term in office. For the first time since nearly 50 years, the US began viewing India on a one-to-one basis and not as a mere pawn in the balance of power in South Asia. The outcome of the positive outlook was a greater consistency in US policy towards South Asia. The United States' demand for the abolition of the United Nations Military Observer's Group in Kashmir as a condition for paying its arrears to the United Nations may be cited in support of this contention.26

Since US policy makers and strategic thinkers viewed Kashmir issue as a potential nuclear flashpoint, the Clinton administration took efforts to bring both India and Pakistan towards better understanding and resolving their differences through persistent dialogue and also initiating a series of confidence building measures.27 It is a different matter that such efforts could not materialise due to deeper roots of tensions between India and Pakistan that again manifested in the Kargil conflict.

26Palit, n.1, p.792.

Kargil: A Turning Point

It is sad to recall that even while Prime Minister, A.B. Vajpayee, was trying to begin a new chapter in India-Pakistan relations through his historic trip to Lahore in February, 1999, Pakistan’s military establishment was busy planning for a massive intrusion into the Drass-Kargil and Battalick sectors of India. This misadventure of Pakistan, however, enabled India to get unexpected support from the international community in general and the United States in particular. This was especially remarkable in view of the fact that India had shattered its relations with much of the international community due to its nuclear tests in May 1998 and was largely isolated. But by June 1999, at the height of the Kargil crisis, New Delhi began to bask in the glow of unexpected backing from the great powers in forcing Pakistan to stop the aggression. Pakistan was thus injured very badly and India, in return, achieved a major victory by winning the war and also by letting the international community know its position in this part of the world.  

The subtle, but important shift in US policy towards India that manifested during and after the Kargil crisis can be inferred from President Clinton’s pronouncement, “You cannot expect a dialogue to go forward until there is absence of violence and respect for the Line of

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Control”. He virtually ruled out referendum when he said, “There has been a lot of a change since 1948 including what happened in 1971”. The US argued that the rules of engagement in the subcontinent fundamentally changed with the introduction of nuclear weapon into Indo-Pak equations in 1998. Pakistan’s misadventure in Kargil intended to bring in the US to side with Pakistan on the Kashmir thus boomeranged when the Clinton administration went out of the way to counsel restraint to Pakistan. Second, the US believed in the potential of Lahore peace process to end the bitterness in Indo-Pak relations. They viewed that Kargil aggression threatened the Lahore process and must be quickly reversed. Third, even after the Soviet withdrawal from Afghanistan in the late 1980’s, the US was lenient towards Pakistan’s sponsorship of terrorism in Jammu and Kashmir and its support to religious extremism, because of America’s thesis, namely, “Save Pakistan” from falling into the hands of various anti-US extremist groups. But eventually, American frustration with Islamabad’s tendency to get away with any crime ended when Washington was ready to call the Pakistani bluff during the Kargil crisis”.


This shift in US policy towards India was though more an outcome of America's re-assessment of its interest in South Asia than any love for India, India nevertheless gained in the process. This was evident during the New Delhi visit of President Clinton in March 2000 after a long gap of 22 years after the visit to the sub-continent by the then President Jimmy Carter. Clinton's visit was considered a major breakthrough or success by the Indian Government, business groups, media and also by the general public, as President Clinton declared during his Delhi trip that India was a natural leader of South Asia and Indians had every right to say that the US had no role in Kashmir. Clinton stressed, "I have certainly not come to South Asia to mediate the dispute over Kashmir. Only India and Pakistan can work out the problems between them". Particularly, President Clinton came down heavily upon terrorism and wanted Pakistan to respect the LoC and restrain its encouragement to cross border terrorism and work towards dialogue in the larger interest of both the nations. The statement made

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32Remarks made by the President Clinton to the Joint Session of Indian Parliament on 22 March 2000, released by the Consulate General of the United States of America, Madras. Also, *Span* (New Delhi), May-June 2000, pp.8-9&14.

33Joint Press Statement by President Clinton and Prime Minister Vajpayee, March 21, 2000, release issued by the Embassy of India, Washington, D.C.
by the US President Clinton during his New Delhi trip, thus showed a shift in the US policy and growing convergence of interest between India and United States not only over Kashmir, but also in other areas as well.

Similarly, the reciprocal visit of Indian Prime Minister, Atal Behari Vajpayee, to Washington, D.C. in September 2000, further broadened the scope of dialogue and mutual co-operation in various areas, especially terrorism. The Indian Prime Minister, on different occasions during his stay in the US, spoke frequently about terrorist violence in Kashmir over the last two decades. Prime Minister Vajpayee highlighted the facts, that India’s neighbour, Pakistan, had adopted a religious war as its Government policy. He, therefore, emphasised the need for joint effort to overcome nefarious activities.34

On the whole, the visits of President Clinton to India and Prime Minister Vajpayee to the US were quite positive, heading both the democracies towards engagement on the Kashmir issue, which was well appreciated by different officials and non-official sections within the United States and India.

34Embassy of the United States of America (New Delhi), Prime Minister Atal Behari Vajpayee’s Address to the Joint Session of the United States Congress, 14 September 2000, Washington D.C.
Human rights, as a concept, practice and concern, have always been associated with the US, as the very foundation of that nation was laid on the principles of human rights and liberty. The very fact that a separate bureau of human rights, headed by Edward Shatuauck, was established in the US State Department, showed the significance of this issue in American foreign policy. The end of the Cold War generated broad optimism that human rights would take centre stage not only in American foreign policy, but also in world politics as a whole.

The Clinton team could not be oblivious of the fact that any violation of human rights is likely to generate violence, killing innocent peoples, as one would see the killings of Hindus by Muslims and retaliatory killings of Muslims by the security forces in Kashmir and ethnic wars in other parts of the world. Human rights concept, therefore, dominated Clinton’s foreign policy rhetoric during the 1992 campaign, as he and other Democrats criticized George Bush’s alleged indifference to human rights horrors in Tianamen Square, Iraq, former Yugoslavia and Haiti. As a President too, he promised, in his inaugural address, to use American power, if necessary, whenever “the will and conscience of

the international community are defied”. His national security advisor, Anthony Lake, also declared the “enlargement” of the world’s roster of democratic countries as one of America’s top foreign policy priorities.36

In early 1993, while addressing the members of American Society of Newspaper editors in Annapolis, Maryland, President Clinton clearly made human rights a part of the American national security policy. He stated:

During the Cold War, our foreign policies largely focused on relations among nations. Our strategies sought a balance of power to keep peace. Today, our policies must also focus on relations within nations, on a nation’s form of tolerance. These are of concern to us, for they shape how these nations treat their own people as well as others and whether they are reliable when they give their word.37

Kashmir and Punjab in Clinton’s Human Rights Agenda

The emphasis on human rights by the Clinton team clearly jeopardized India-US ties for quite sometime during the initial years of the Clinton Presidency. This was evident during the visit of the then Head of the South Asia Bureau of the Department of State, John R.Malott, to South Asia in May 1993. John R.Malott, it may be recalled, bluntly told his audience at the India International Center in New Delhi


that India must take steps to curb the abuses of human rights by its security forces and give access to human rights groups there.38

In the same year, a Republican Congressmen, Dan Burton, who was a member of the House International Organizations and Human Rights Committee, renewed his attempt to impale India on human rights issue through an amendment motion seeking to end US assistance unless New Delhi scrapped five preventive laws. Though, this move in the House of Representative to give India a bad name and hang its head in shame met with its fully deserved fate of clear defeat, yet this highlighted the tilted vision of such Congressmen.39

To cap it all, human rights allegations were made by President Clinton, in his UN speech in September 1993, in which he compared the situation in Kashmir with that of Bosnia and thereby allegedly implied that Muslims in Kashmir were killed by the Hindu dominated Indian State in the same manner as they were butchered by the Serbs in Bosnia.

Washington had also been lecturing India on the violation of human rights whenever the Indian Army and the police tried to contain the Pak-supported Sikh terrorists. While replying to a letter of a US

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38For the text of John R.Malott’s Speech, see his, “India-US Relations: Agenda for Progress”, Span, vol.34, no.6, June 1993, p.43.
Congressman, President Clinton went to the extent of writing on 22 January 1994, "I...share your desire for a peaceful solution that protects Sikh rights". The US President also wrote to a Washington based Kashmiri militant, Ghulam Nabifai, a leading trainee of Pakistan's Inter Services Intelligence Agency (ISI), in January 1994. No doubt, a New York based human rights watch itself identified the US on 10th September 1994 as one of the sources of arms possessed by the militants in Punjab and Kashmir.

This posture of the Clinton administration encouraged Pakistan to seek concessions from India from a position of strength and elude all reasonable and amicable solutions to the Kashmir problem. Many in India, therefore, depicted these as a basic shift in the US policy towards South Asia that had as its objective the destabilisation of India, allegedly in co-operation with Pakistan's ISI, in what Indian Express of January 25, 1994 termed, "The key nerve centre of specialists in political destabilization in the Third World".

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Allegations made by the international human rights organisations like Amnesty International and Asia Watch complicated this issue. The 1993 & 1994 documents of these organizations stated that India’s security forces indulged in human rights violations in Punjab and Kashmir. India’s arguments that she was engaged in fighting secessionist movements did not cut any ice with them. They also alleged that India did not permit representatives of the Amnesty International for fourteen years to investigate cases of alleged violation of human rights.42

These allegations and efforts of anti India lobbyists at Capitol Hill led the US Congress to amend a foreign aid bill in June 1993 cutting assistance by $24 million to a group of countries that included India.43

Indian Response

This created a lot of anxiety in India, as an aid cut was bound to affect Indian interests. Initially, India tried to convince the American Government on a number of occasions regarding India’s respect for human rights. At the same time, India gradually realised the seriousness of human rights in a democratic country like India. The Indian Government, therefore, established a National Human Rights

42Shrivastava, n.2, pp.223-24.

Commission (NHRC) to look into the alleged case of human rights abuses in India.

Human rights problem was no doubt viewed seriously by the Indian Government after the establishment of NHRC in 1993, investigating human rights abuses in Punjab, Kashmir and the North-East. In 1998, NHRC received 40,700 complaints. This called for certain drastic reforms addressing human rights problems, particularly the exploitation, torture, over crowding, detention centers, health, and hygiene factors. It is because of the magnitude of the problem, India was bent upon overcoming this problem. As a result in 1997, India signed the UN convention against torture and other cruel, inhuman, or degrading treatment or punishment.44

The visit of Atal Behari Vajpayee, as a part of an Indian delegation to Geneva Conference on human rights in March 1994, resulted in allowing the International Community of Red Cross (ICRC) apart from the third group of Delhi based diplomats of Islamic countries to visit Jammu and Kashmir. The visit of Narasimha Rao to Washington in May 1994 and the visit of ICRC Kashmir led to a gradual understanding of India’s human rights record.45


45 Jha, n.41, pp.100-01.
It may be noted that President Clinton had sent a similar letter to a Kashmiri Hindu (Pandit) organisation in the US a few months earlier sympathising with the plight of the Pandit community in the Valley. In his letter on Punjab, too, he took pains to favourably note the substantial improvement in the political situation there, presumably in an effort to educate the Congressman, who had written to him on his matter.\textsuperscript{46}

**Child Labour**

In addition to India's human rights record in Kashmir and Punjab, the issue of child labour also assumed critical significance in Indo-American relations. Child labour is a serious human rights problem in India as well as in other South Asian countries. According to the State Department Human Rights Report, enforcement of child labour laws in India is weak and the estimates of child labourers range as high as fifty five million.\textsuperscript{47} Child labourers are engaged in garment, carpet and match industries beyond number in India.

A major factor responsible for the promotion and proliferation of child labour in India is the lack of compulsory education even at primary level education. As a result, 87 million out of 203 million Indian children


\textsuperscript{47}LePoer, n.44, p.13.
between the ages of 5 and 14 do not attend schools. These children are sent to toil as agricultural workers, domestic workers, restaurant helpers, workers in cottage industries manufacturing carpets, fire crackers, brassware, handicrafts, etc., to help supplement the family income with no opportunity for education. These children work for long hours without any protection of law. South Asian Coalition on Child Servitude (SACCS), therefore, pointed out that India was not that serious about implementing even the law prohibiting the employment of children in hazardous industries like glass, bangles, match and fire works. India, however, argued that if too much of pressure is applied in eradicating child labour without introducing certain major reforms children could turn more militant.

But Washington did not buy this argument. The Harkins Bill was, therefore, introduced in the US Congress, restricting American firms from importing products made through child labour in countries like India, particularly, garments, carpets and glass products. The Harkins Bill on child labour was thus bound to adversely affect trade relations between the two countries.

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48 Ibid.


50 Jha, n.41, p.106.
The withdrawal of the child labour force is possible only when certain measures are taken for providing education to them and also ensuring the implementation of their rights recognized by the United Nations International Children’s Emergency Fund (UNICEF). The United States must, therefore, understand the seriousness of this problem and refrain from applying undue pressures on developing countries like India, as this problem can only be solved gradually over a period of time and that too when certain reforms are introduced within the country for the upliftment of the child. If this issue is not paid adequate attention, it may fuel militant nationalism, which can adversely affect the smooth conduct of relations between these two democracies.

TERRORISM

While the issues of Kashmir and human rights generated tensions in India-US ties, though they were managed later on during the Clinton era, the menace of terrorism gradually brought them closer. Let us now, therefore, turn our attention towards this issue.

India began fighting her real big war on terrorism once Pakistan began to sponsor cross-border terrorism against this country in the early 1980’s in Punjab. Even though Pakistan offered safe haven and all other possible assistance to extremists in Punjab, the secessionist movement couldn’t succeed there as expected. Pakistan, however, attempted to
perfect its techniques in the promotion of terrorism or Low Intensity Conflict (LIC) in Jammu and Kashmir. In addition to Punjab and Kashmir, Pakistan sponsored terrorist activities in other parts of the country as well.51

Before Clinton’s ascendancy to power, it was acknowledged by the US intelligentsia that Pakistan was aiding and abetting terrorism in Kashmir. John Mallot, the former Principal Deputy Assistant Secretary of State for South Asian Affairs, acknowledged, “In Jammu and Kashmir, militants have launched an insurgency and have resorted to terrorist acts... we continue to be concerned by credible reports that the Government of Pakistan has been providing official support to some of the militants”. He further argued that “any such support must come to an end, both for the sake of our future relationship as well as for the future of India-Pakistan relations and resolution of the Kashmir issue”.52


Washington was, however, not willing to declare Pakistan as a terrorist State in view of Pakistan's significance in American strategic perception emanating from Pakistan's strategic location and its links with the oil rich Gulf countries. As pointed out by an American analyst, Pakistan has an important strategic location because of its proximity to Iran, Russia, China and India, all salient to the US Government. Also, Islamabad plays a significant role in the Islamic world, a coalition with whom Washington needs to curry favour. Besides, it has been an active supporter of the UN peacekeeping activities. Finally, Pakistan's global objectives seem not to have come into conflict with those of America.

Not surprisingly, even though India alleged Pakistan's involvement in cross-border terrorism ever since 1980's, the US turned a blind eye to this fact. In fact, the US tried to deny such allegations against Pakistan, as it was primarily interested in balancing its relationship with Pakistan.

A Gradual Shift

The attack on the World Trade Center (WTC) in 1993 and the American Embassies in Tanzania and Kenya in 1998, in which many

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53 Travis, n.9, p.53.

Americans were killed, however, moved Washington towards the realization of the dangers of Islamic terrorism. For, the Americans traced the attacks to Al Qaeda, a terrorist organisation led by Osama Bin Laden. The US launched a missile attack in retaliation against Osama’s facilities in Afghanistan and against a factory in Sudan alleged to be producing materials for manufacturing chemical weapons.55

Accordingly, in the course of time, terrorism became an important agenda in American national security framework. This was reflected in various pronouncements of President Clinton. In his address to the UN General Assembly in September 1996, he, for instance urged that the international community should ensure that terrorists have no place to run and no place to hide.56 He again declared, “Terrorism is one of the greatest dangers we face in the new global era” and therefore, this issue needs to be addressed at national, bilateral as well as international levels”.57


57For the full text of the announcement by President Clinton see the published record of the Federal Document Clearing House, in International Herald Tribune, 21 August 1998.
Gradually, over a period of time, the US started accepting India’s point of view that Pakistan had been actively nurturing terrorists. It was established beyond doubt that Pakistan had been aiding and abetting terrorists not only in Jammu and Kashmir, but also in other parts of the Indian soil. This menace of terrorism brought forth congruence of perceptions. This was indicated, for example, when the US took the first step to extradite Daya Singh Lahoria, a terrorist accused in the assassination bid on the former Youth Congress President, Maninderjit Singh Bitta. Until then, the US had always dilly-dallied on the question of extradition of terrorists wanted by India, while always insisting on other foreign Governments to extradite suspected criminals to stand trial in the US. The WTC incident, therefore, can be considered a major turning point in Indo-US relations in so far as terrorism is concerned. It provided an excellent opportunity for both the countries to share their experiences in handling terrorism.

Terrorists' acts against the US during 1997-1998 by Islamic terrorism led to a further convergence of Indian and American interests and a consequent improvement in relations between the two democracies. When, in response to the bombings of its embassies in Nairobi and Dares Salam in August 1998, the US launched a missile

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*Palit, n.1, p.793.*
attack against terrorist bases in Afghanistan, the Indian Ministry of External Affairs quickly pointed out the need for Indo-US co-operation to eradicate terrorism, especially since India was a victim of ‘state-sponsored, cross-border terrorism’.  

The United States initiated a few steps towards co-operating with India not only by extraditing Daya Singh Lahoria, and a terrorist wanted by India, but also by signing an extradition treaty with India in August 1997. Further, a Pakistan based terrorist outfit, Harkat-ul-Ansar, funded by the ISI of Pakistan, was branded as a terrorist organisation by the US, despite vehement protests by Pakistan. In addition, former Under Secretary of State, Thomas Pickering, during his visit to India in October 1997, stated, “Both of us (India and the US) are committed to work together to enhance our capacity to fight terrorism, whether it is sponsored from the moon or from any other corner”. Again, the former US Secretary of State, Madeline Albright, reiterated the same resolve during her visit to South Asia in November 1997. President Clinton himself admitted in an interview to Peter Jennings of the ABC: “There


60 Times of India, 27 June 1997.

61 US Under Secretary of State Thomas Pickering’s Statement made during his visit to India on October 1997; as cited in Kamath, n.56, p.1611.

are elements within the Pakistani Government that have supported those
who have engaged in violence in Kashmir.\textsuperscript{63}

India and the United States thus developed a shared interest in
foiling the designs of the terrorist network. This co-operation resulted in
high-level discussions between India and the US in Washington in early
September 1999. This meeting was seen as the harbinger of a more co-
ordinated strategy on the issue of counter terrorism.\textsuperscript{64}

After President Clinton's visit to India in March 2000, India and
the US set up a joint working group in April 2000 to coordinate their
activities against international terrorism. During President Clinton's visit,
it was agreed that the US would open a Federal Bureau of Investigation
(FBI) office within the American Embassy in New Delhi. The US also
agreed to pass on to India secret information in its possession regarding
the weapons used by terrorists and their organisations. It supported
India's efforts to get an international convention on international
terrorism adopted by the United Nations.\textsuperscript{65} The US President reiterated

\textsuperscript{63}The US Government, The White House, President Clinton's visit to India,
"Interview of the President by Peter Jennings, ABC World News" at New Delhi,
India, 21 March 2000, issued by USIS (Madras).

\textsuperscript{64}Mohammed Ayoob, "India Matters", Washington Quarterly, vol.23, no.1,
Winter 2000, p.32.

\textsuperscript{65}Jyoti Malhotra, "In Indo-US Spring, FBI is coming to Delhi set up shop",
Indian Express (New Delhi), 28 March 2000; Indian Express, 6 April 2000. See also,
Shrivastava, n.2, p.196.
during Atal Behari Vajpayee’s US visit, the need for intensifying co-operation between the two countries to combat international terrorism.

The triple issues of Kashmir, human rights and terrorism that created divergences between the two democracies were thus managed delicately to a great extent towards the end of the Clinton administration. But what about their differences over the nuclear proliferation issues? This is the theme towards which we propose to turn our attention in the next chapter.