PREFACE

“We the peoples of the United States determined to save the succeeding generations from the scourge of war, with twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small...”

(Charter of the United Nations, 1945).
PREFACE

Words with powerful connotations stir emotions, produce elaborate philosophic interpretations, inspire revolution and reaction, encourage dissent and restraint, and fuel scholarly debate. These words include liberty, freedom, justice and equality. Each of these terms, and many others, is directly related to the current discourse on human rights.

Human Rights are literally, the rights that one has simply because one is human. These rights make a being a human being. This deceptively simple idea has profound social and political consequences. These rights, because they rest on nothing more than being human, are universal, equal and inalienable. They are held by all human beings, universally. One either is or is not human and thus has or does not have human rights, equally. And one can no more lose these rights than one can stop being a human being — no matter how inhuman the treatment one may suffer. One is entitled to human rights and is empowered by them. Human Rights is today the term with which most of those yearning for justice and hope relief from oppression voice their hopes. Today, the cause of human rights exists throughout the world and expresses the longings and convictions of millions of men and women.

How to embody the fundamental principles of democratic societies — human rights — in foreign policy has become an especially pressing concern for all democratic and liberal countries including that of the United States. This is the complex setting, in which US human rights policy must be constructed.
The continuing problem for human rights policy is the fact that it traditionally aims at affecting the domestic behaviour of other countries, while governments are reluctant to alter their nation’s political system for foreign policy reasons.

For all these reasons, a human rights policy, unless it is very carefully constructed, runs the danger of being ineffective. And if it is ineffective, it can also be counter-productive, creating additional resistance to improvement in human rights. It can embitter bilateral relations with other countries, increasing international tension.

It is true that all countries in the world are guided by their respective defined national interest and power politics while dealing with outside world. Hence, the US is no exception. National interest is a smokescreen by which all countries including the US have been oversimplifying the world, denigrating their rivals and enthraling their citizens. On the question of human rights, the US presents a holier-than-thou picture to the outside world as if it is the sole champion of human rights in the world, a ‘city upon a hill’ to be emulated by others. But the facts are otherwise.

The present study is a humble attempt to put the American human rights policy in its proper perspective in the context of its relations with India and Pakistan. There has been strong linkages between human rights issue and US security interests since the late 1970’s. The US policy makers while formulating their country’s foreign policy take many factors into considerations. Human Rights has been one of those factors. But human rights factors has never been as important as security and economic considerations. It has always been influenced by considerations of security,
economic interests, ethnic and linguistic affinity, ideology and history. In all these instances, one sees national interests at work. Thinking in terms of national interests — of balancing power and commitments has forced US policy makers to be calculators than crusaders.

In response to a reporter's question in 1986, president Ronald Reagan said that "anything we do is in our national security interests. If the national interest is considered a pleasing euphemism for what I or my advisers want to do, whatever is the outcome of the policy process is always in the national interests."

While dealing with India and Pakistan, the US foreign policy has been influenced by military, economic and geo-strategic considerations as final determinants in the formulation and application of its foreign policy from president Carter's regime to the present incumbent president Bill Clinton's regime. This policy has been discriminatory in nature and the US has been using two yardsticks to judge the human rights situations prevailing in India and Pakistan. It has been subordinated in case of Pakistan when measured against the perceived imperatives of national security objectives.

In case of India, this policy is being used as one of the pressure tactics to extract concessions from India on issues like nuclear non-proliferation and missile proliferation and furthering America's vital economic interests. Hence, Indian policy makers often wonder whether US is serious about human rights per se. It is interesting to observe that while the US human rights policy from 1977 to 1996 towards India had been busy harping on the alleged human rights violations in terrorist-infested states like Punjab and Kashmir, at the same time it is less interested about the human rights situations in naxal-belt...
areas like Andhra Pradesh, Bihar, Madhya Pradesh and Orissa, as it does not serve the US national interest as the US believes that the road to India`s accession to NPT and CTBT runs through Kashmir.

The interplay of human rights and security has been there in US foreign policy since Carter phase. And at present, it has now become a new roster of assorted interests in US foreign policy. It has been evident in the Carter, Reagan, Bush and Clinton administrations. In the post-cold war phase, the US is more concerned about the missile and nuclear issues and the economic interests while dealing with India and Pakistan. The US policy towards India and Pakistan has been to facilitate the entry of US multi-national companies, protect American intellectual property rights, remove restrictive trade practices, continue urging them to open their economies, privatise industries as it offer a big opportunity for enhancing US trade and investment in the region.

Therefore, keeping these facts in mind, the main assumption or hypothesis of the present study has been to attempt uphold the point of view that it is not the `sacred intentions of the US to promote and protect human rights throughout the world, and for that matter in India and Pakistan. Rather it is a calculated diplomatic manoeuvre on the part of the US foreign policy to camouflage its national interests using the instrument of human rights to embarrass the nation states through its cloak-and-dagger policy. Hans. J. Morgenthau has rightly observed that the "purpose of US human rights foreign policy is not to bring happiness to the rest of the world, but to take care of the life and happiness of American people".

The present study envisages the period from 1977 to 1996. This includes the Carter, Reagan, Bush, and the first term of Clinton (from 1993 to
administrations and their human rights policies and strategic interests in regard to their relations with India and Pakistan. The study attempts to assess the interplay and some problems of reconciling concern for human rights for interests of national security in US foreign policy in the context of India and Pakistan.

The Opening Chapter of this study offers an analytical perspective of the background, principles, natures, justifications, constraints, goals and moralism of the US human rights policy making, starting from president Truman to the subsequent contribution of Eleanor Roosevelt, a general observation human rights policy during President Carter’s time, the reported climbdown of Reagan administration and finally the importance it has had come to occupy in the 1990’s during the Bush and Clinton administrations. This section also provides brief criticisms of US human rights policy too. This section also has briefly discussed the US foreign policy goals towards India and Pakistan.

The Second Chapter takes a look at the background intricacies and implications of President Jimmy Carter’s human rights policy from 1977 to 1980 in general and towards India and Pakistan in particular. This section has analysed the criticisms of Carter’s human rights policies, and how he had tried to reconcile his country’s vital security interests with that of human rights—the “soul” of his foreign policy, while dealing with other countries including India and Pakistan. But despite the balancing act, ultimately, it was the security interests which prevailed over human rights concerns.

The Third Chapter reflects President Ronald Reagan’s human rights policies during his two terms as President, i.e. from 1981 to 1988, towards
other countries including India and Pakistan. This section has tried to analyze how the Reagan administration used this issue as a tactical weapon in the conflict with communism giving primacy to security considerations over human rights, although, the issue of human rights was never completely obliterated in his foreign policy formulations. He viewed this issue through the Cold War prism, using double yardsticks for potential communist adversaries and potential allies on the question of human rights. Pakistan stood out as a vivid example, how the Reagan administration preferred security over human rights.

The Fourth Chapter encapsulates President George Bush administration’s human rights policies vis-a-vis security interests during his term, i.e. 1989 to 1992, towards other countries in general, and India and Pakistan in particular. An effort has been made to analyse how the Bush administration carried forward the human rights policies vis-a-vis security interests of his predecessor till the end of Cold War, liberation of Afghanistan, dissolution of erstwhile communist USSR, fall of Berlin Wall and till US’s triumphant victory over Iraq in the 1990 Gulf-war. And how the Bush regime tried to prioritise this issue in the post-Cold War phase in the context of India and Pakistan has been discussed. How his initial two years had been marked by compromise and his last two years giving significant importance to human rights issues has also been highlighted.

The Fifth Chapter of this study highlights how President Bill Clinton in his first term in office, i.e. from 1993 to 1996, used human rights issue to achieve his country’s vital security interests vis-a-vis India and Pakistan. The study has attempted to discuss how the Clinton administration attempted to use the issue as a bargaining chip to pressurise India and Pakistan to concede to
the discriminatory nuclear and missile control regimes of the US, and to facilitate America’s vital economic interests in the region. In view of the continuing criticisms of India’s human rights record by the US, this section has also attempted to set the records straight by highlighting briefly the double standards the US maintains on the question of terrorism and its distorted perspective on the Kashmir issue.

The Last Chapter makes essentially some concluding observations and has summed up the four administrations human rights policies and security interests vis-a-vis India and Pakistan.