CHAPTER - III

REAGAN PERIOD : PREFERENCE OF SECURITY OVER HUMAN RIGHTS

“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.”

CHAPTER -3

REAGAN PERIOD: PREFERENCE OF SECURITY OVER HUMAN RIGHTS

In sharp contrast to the high-profile and high-visible human rights foreign policy of Carter, his successor, President Ronald Reagan quickly and swiftly changed the gear and soft-pedalled this issue disavowing the use of human rights issue as a "visible instrument of foreign policy", and in place gave high priorities to fighting the international menace of terrorism and illegal drug-trafficking. Secretary of State Alexander Haig signalled the Reagan administration's new approach to human rights on January 28, 1981, shortly after becoming Reagan's Secretary of State, by stating that "international terrorism will take the place of human rights in our concern because it is the ultimate abuse of human rights."  

The downplaying of human rights issue was almost clearly demonstrated during the visit to Washington, D.C. of South-Korean President Chun Doo Hwan. As a first step the State Department delayed releasing its annual report on human rights violations to avoid embarrassing the Korean leader. According to State Department officials, Haig opposed keeping "report cards" on foreign countries in the area of human rights. They said, the Secretary preferred to handle human rights problems through "diplomatic channels". Even Ernest Fegovar, the Assistant Secretary of State for Human rights and Humanitarian Affairs also preferred to put less stress on human rights issues. He told a Congressional Committee in 1979 that he favoured

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using human rights against adversaries referring to the USSR, instead of lobbying for human rights observances in ‘friendly states’. Even he went a step further saying “we have no moral mandate to remake the world in our own image. It is arrogant of us to attempt to reform the domestic behaviours of allies and even our adversaries.”

All available evidence indicated that Reagan administration restored the “quiet diplomacy “as a means of encouraging the respect for human rights by friendly authoritarian regimes-those in control of nations considered to be of strategic interest to the US. At the same time, the President and American diplomats had denounced human rights abuses of “unfriendly totalitarian regimes”, notably the erstwhile Soviet Union and its allies. Additionally, the published texts of the official statements made by Max M. Kampelman during his three-year term as US ambassador to the Madrid Conference on Security and Human Rights make virtually no mention of human rights abuses outside the Soviet Union.

It is significant to note that President Reagan broadly formulated a policy approach on human right while addressing the celebratin of Human Rights day on 10 December 1984. He said some of these nations, which have authoritarian governments but having friendly ties with the US, and the community of democratic nations, quiet diplomacy has brought about humane and democratic change”. He repeatedly pointed to the restoration of freely elected governments in several countries of Latin America as well as

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2 ibid, p.258
“progress” in others such as Chile, as evidence of his success. At that time, President Pinochet lifted the state of seige he had imposed in Chile in November 1984.

The most significant challenge to Reagan’s human rights policy arose over South Africa. Both the House and Senate voted to apply economic sanctions against South Africa’s minority white government for its racist policies. The Reagan administration construed Congressional action as a repudiation of ‘constructive engagement’, the administration’s policy of maintaining friendly relations with South Africa while quietly trying to persuade the country’s leaders to ease restrictions on non-whites. However, finally, Reagan administration gave in to the Congressional action against South Africa as his veto was overridden.

Human rights advocates upon looked such constructive engagement as a variant of quiet diplomacy and they condemn both. This was articulated by no less a person than by Assistant Secretary of State on Human rights, during Carter Administration, Patricio Derian who said, “I believe US foreign policy interests have been severely damaged by the record of the last four years, as have the people who have suffered deprivation of their rights at the hands of their governments”.4 She also gave very little credit to her successor Assistant Secretary of State on Human Rights, Elliot Abrams saying his record on this score was “dismal as the rest of the administrations’s because

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of his findings of improved human rights conditions in such strategically important anti-communist allies as Pakistan, South-Korea and Phillipnes”

However, Abrams rejected such criticism of the Reagan administration’s human rights performance and insisted that human rights remained an integral ingredient of American foreign policy objectives. He affirmed that the Human Rights Bureau was well established in the State Department and also claimed that “this institutionalisation had the double benefit of allowing U.S. to conduct ongoing dialogue with countries, that had serious human rights problems, without necessarily damaging bilateral relations with America. If one would go by the rhetorics of Reagan administration, one would certainly find nothing amiss in his policy in comparison with that of his predecessor, notwithstanding the hard realities of his human rights policies.

One finds, like its predecessor, the Reagan administration saw human rights something important which deserves a place in US foreign policy because it is in line with the country’s long cherished values and mores. This was vividly stated in the State Department’s annual country reports, which reads “human rights is at the core of American foreign policy because it is central to America’s conception of itself. Human rights is not something added to our foreign policy, but its ultimate purpose was the preservation and promotion of liberty in the world. This administration believes that human

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5 ibid, p. 148.
rights is an issue of central importance... to link foreign policy with the traditions of the American people.”

In the same vein, Walter J. Stossel Jr., Under Secretary of State for Political Affairs said in 1981 that “America needed to be an example to other nations—both of strength and prosperity—and of U.S.’s vibrant democratic institutions, for Americans can not call on others to meet high human rights standards unless Americans did so themselves. He said that President Reagan had captured this concept clearly in speaking of the United States as a city upon a hill.

Such statements speak volumes about Reagan’s concerns for both domestic as well as international human rights and wanted to set an example for other nations to emulate in the field of human rights. This was further bolstered by the statement of Secretary of Stae George Shultz who declared that “the President’s philosophy is that.. we find in our ideals a star to steer by”. Statements like these suggest that moral values were included in the reasons for building human rights into the country’s foreign policy. However, moral values as such do not appear to be nearly so prominent in the rationale for the Reagans’s human rights policy as the struggle against communism in general and US-Soviet rivalry in particular.

However, one thing is pretty clear that Reagan administration place human rights within a geopolitical matrix. This administration found symmetry between promoting human rights and promoting the strategic

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geopolitical interests of the US. And for Reagan administration, the Soviet Union was the overriding issue and saw communist countries as synonymous with human rights violations.

This was substantiated by the Assistant Secretary of State for Human Rights and Humantarian Affairs, Elliot Aframs that the "conclusion we have to draw is that the East-West struggle matters a great deal for human rights. Let me acknowledge right now that I take the comment that this administration puts human rights policy in an East-West framework to be descriptive than critical. To prevent any country from being taken over by a communist regime is in our view a very real victory for the cause of human rights". He made such classification while addressing a press conference in Washington, D.C., on October 12, 1983.

It is significant to note that by and large the administrative personnel in the State Department incorporated the fact that Reagan administration's policy was strongly anti-communist and ideology was the cornerstone of the administration's human rights policy. The State Department publications State Department's country reports on Human Rights practices set the tone of Reagan's policy approach for 1981 by stating: "it is a significant service to the cause of human rights to limit the influences the USSR (together with its clients and proxies) can exert. A consistent and serious policy for human rights in the world must counter the USSR politically and bring Soviet bloc human rights violations to the attention of the world over and over again."

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However, the ideological, and geopolitical basis of the Reagan administration’s human rights invited vociferous criticisms from those who saw it as a disservice to the cause of human rights and an approach that distorted policy. For example, one critic complained: “the country’s foreign policy has been captured by a boarding party ideologues. Everthing is viewed through the Russian prism”. 9

Striking the same dissent note, another scholar noted that “the human rights policy of this administration based on ideology, rather than law. Communism was seen as the worst human rights violations and to prevent that, other abuses will be endured”. 10 Joining the chorus of criticism, another scholar had asserted that “to our Western European allies, US policy seems anti-Soviet and not pro-human rights”. 11

SIMILARITIES AND DIFFERENCES OF HUMAN RIGHTS POLICIES OF CARTER AND REAGAN PRESIDENCIES :-

The commonality of approach and action of both the administration strikes a degree of continuity in US human rights policy. Firstly, there was a general orientaton that placed human rights within the context of broad,


overall foreign policy interests and demands with human rights subordinate to national, political and security interests with an assertion of the compatibility of the two areas of foreign policy.

Secondly, one finds a mixture of humanitarianism and pragmatism as the rationale for promoting human rights policies by both the administrations.

Thirdly, there was an apparent readiness to take advantage of loopholes in national human rights laws in order to extend aid to countries with poor human rights records such as Pakistan for political and security considerations.

Fourthly, one finds a susceptibility to Congressional influence concerning human rights policy in forms of legislation pressure and support for pro-human rights actions and procedures.

Lastly, one observes a certain willingness by both the administrations to use all available tactics and strategies to implement policy such as quiet and open diplomacy, pressure and inducement, bilateral and multilateral aid programs, careful preparation of annual reports on human rights practices of other countries, and promotion of democracy and democratic institutions abroad.

The differences between the Carter and Reagan’s human rights policies primarily depended upon the significance and identity of the person who occupied the Presidency. In summary, these differences could be manifold. Some of them are as follows:
Firstly, while both administrations were officially committed to human rights, this commitment was stronger and more consistently present in the Carter administration than in that of Reagan, whose support for human rights at times developed only as a result of pressure from domestic sources and developments in other countries.

Secondly, while both the administrations related human rights to the East-West political conflict, anti-communism dominated Reagan’s foreign policy calculus, and hence human rights policy was a low priority. However, in Carter’s times, it was just the reverse. Reagan’s human rights policy consequently was less even-handed and credible than Carter’s.

Thirdly, Carter’s definition of human rights was more comprehensive and more in conformity with international human rights laws than Reagan’s as Carter included economic and social rights in the human rights basket which Reagan did not.

Fourthly, Carter was more active in seeking to extend US human rights policy into the area of adherence to international human rights conventions and convenants.

Fifthly, Carter began his tenure by displaying determination to establish and implement a human rights policy. Even he went to the extent of precipitating conflict with the foreign policy bureaucracy. But Reagan’s initial moves indicated an indifference if not hostility to human rights, a difference whose significance derives at least in part from the assumption that an executive’s first actions are most reliable indicators of his attitudes and priorities.
Sixthly, Carter made greater use of the procedures of international financial institutions to express concern for human rights situations than did Reagan, who with some later exceptions, tended to resort to this tactics ostensibly when loans to leftist governments were being considered.

Last but not the least, during Carter's time, the main bedrock of his human rights policy was to balance it with his country's national security interests. In other words, it was posited in such a way that it was not allowed to compromise with the basic security considerations of his country. It was a mixture of both compromise, adjustments and assertions. It was a part of Carter's two-track diplomacy on human rights. On the other hand, President Reagan from the day one of his Presidency put high accent on his country's security interests and he made no bones about it preferring security over human rights in his scheme of things. Fighting international terrorism especially the terror reigns of the erstwhile Soviet bloc was the highest and primary priority of his government.

**REAGAN'S HUMAN RIGHTS POLICIES TOWARDS INDIA & PAKISTAN :-**

In the early parts of 1980's, the US Congress was scrupulously examining and monitoring the human rights policies of the US vis-a-vis India and Pakistan. In 1984, the US Congress kicked off a public uproor over the alleged human rights violations in India in the aftermath of the "Blue Star Operation" in Punjab in 1984 to flush out terrorists from the sacred sanctorum of the Golden Temple. This issue was raised by some Congressmen trying to exploit this issue to bring the Indira Gandhi government to task. Even
some Congressmen blew this issue out of proportion and laboured hard to take this matter to the United Nations. But the Reagan administration ignored the misplaced pleas of Congressmen and allowed Indo-US ties not to get strained as Reagan had developed a very special rapport and understanding with Mrs. Gandhi at that time.

On Kashmir, the US Congress had also complained about alleged large scale abuses of human rights of the civilians by the Indian security forces, but this was not allowed to hamper Indo-US relations, thanks to the good personal equations which Mrs. Gandhi and Rajiv Gandhi established with President Reagan. In a sense, the fragile roller-coaster character of Indo-US relations looked up brightly in the early parts of 1980s, with President Reagan and the State Department understanding and sympathising with India’s human rights problems in their annual country reports on human rights.

During Reagan’s two terms of Presidency beginning from 1981 to 1988, his administration did not contemplate any action against India over the alleged violations of human rights. However, the State Department in its annual country reports had taken serious exception to the alleged violations of human rights in Punjab and Kashmir by the security forces. It also expressed dismay over Indian government attitudes of not permitting the London-based Amnesty International and other human rights groups to visit the trouble spots of Punjab and Kashmir for an open assessment of the situations prevailing out there. It also “urged the Indian government to allow such teams to visit these areas as India had “nothing to hide”, when there was an ever-vigilant
independent judiciary and free-play of democratic institutions like press exist in India to ameliorate the human rights of its people. 12

When Mrs. Gandhi was assassinated in 1984, "the Reagan administration reiterated his country's support to the unity and integrity of India. 13 However, some Congressmen criticised India for violating the human rights of the innocent Sikhs in the wake of the killing of Mrs. Gandhi. But the US administration and media "condemned the Sikh militants for killing the Prime Minister". 14 Unfolding his administration's policy towards human rights, President Reagan said, "Terrorist groups, whether of the left or right, usually display a distaste for democratic institutions and civil liberties. It has an intrinsic tendency to corrode the very basis of human rights. Accordingly, United States Policy includes a serious effort to control it". 15

Significantly President Reagan in his very first year reaffirmed his country's commitment to the cause of human rights. On the Human Rights Day on 10 December 1981 he said "we in America are blessed with rights secured for us by the sacrifices of our forefathers, but we yearn for the day when all mankind can share in these blessings. Never is there any excuse for the violation of the fundamental rights of man—not at any time or in any

12 U.S. Department of State, n.6, p.1126.
13 Editorials on File, n.1, p.257.
15 U.S. Department of State, no. 6, p.9.
place, not in rich countries or poor, not under any social, economic or political system". 16

DEPARTMENT OF STATE'S HUMAN RIGHTS REPORTS ON INDIA AND PAKISTAN FROM 1981 TO 1988 :-

On India, the State Department’s annual country reports for 1981 stated among other things, that unlike earlier years in which there were dramatic incidents raising human rights related issues, public and media attention in 1981 was concentrated on institutional reforms in the criminal justice system. A special focus was on reducing police brutality in the treatment of prisoners held in custody. There was also continuing attention to undertrials in Indian jails, the report added.

The report went on to say that though torture is prohibited by the Indian code of criminal procedure, but nonetheless, “there was widespread circumstantial evidence that torture by the police did occur. Press reports in 1981 indicated that police brutality applied to prisoners under custody occurred in the states of Uttar Pradesh, Gujarat, Bihar, Rajasthan and in New Delhi”. 17

The report further stated that freedom of speech, press, religion and assembly and respect for civil liberties and political rights were honoured in practice in 1981. There had been no restrictions in 1981 as criticism of the

17 ibid, p. 967.
government of India, and trade unions in India operated without any restrictions.

On the Indian government's attitude and record regarding international and non-governmental investigation of alleged violations of human rights, the report observed: "no international investigations of the human rights situation in India were known to have occurred since 1978". However, there were a few private human rights monitoring organisations in India such as People's Union for Civil Liberties (PUCL) and People's Union of Democratic rights (PUDR) and the press had taken lead in some instances in examining the functioning of the preventive detention ordinances, jail conditions, and the problem of undertrials.

The State Department report gave the impression that American assistance to India both loan and aid was substantial. India, "received a total of $275.1 million as economic and military assistance, a total of $93.6 million as loans and a total of $181.5 million as grants from the U.S. overseas loans and grants obligation scheme in 1981. And India received a total of $79.5 million as "other U.S. loans", a total of $79.5 as the "ex-IM Bank Loans", and a total of $1999.1 million as assistance from various International agencies such as UNDP, IDM, IFC etc". However, it may be noted that were these assistance the source of Congress debate challenging the Indian Human rights record and embarrassing the normal Indo-US relations.

18 ibid, p. 972.

19 ibid, p. 975.
On Pakistan, the country report stated "a series of events in February and March resulted in wide-spread detentions. In the midst of these turmoil, Zia promulgated a provisional constitutional order which amended the 1973 constitution so as to deny civil and political rights which had already been suspended in practice. The order justified itself by stating "that the President and Chief Martial Law administrator shall have and shall be deemed always to have had the power to amend the constitution. The order significantly curtailed the jurisdiction and independence of the judiciary".20

The report, however, that, praised Pakistan for providing generous humanitarian assistance to over two million Afghan refugees. The presence of this large and growing number of displaced persons, largely concentrated in Pakistan's North-West Frontier province and in Baluchistan, created a serious economic burden. It also contributed to social tensions stemming from competition with the local population for scarce resources.

On the matter of individual freedom including freedom from torture, the report stated: "during 1981, there were at least four cases in which prisoners allegedly died while in police custody. In all four cases, allegations of police brutality were reported in the local press. Each of the cases occurred in a different stage in the arrest-interrogation-detention cycle, and there was no evidence to indicate government acquiescence in the actions of individual police officers. In one case, local police were reported to have mistreated seven persons during a murder investigation in the village of Tayyib Khani. One of the 54 prisoners freed in exchange for the release of the passengers

20 ibid, p. 1072.
of the Pakistani airliner hijacked in March, Mazhar Ali Khan, alleged in a BBC interview in April that he and his fellow prisoners had been tortured. There had been no corroboration of Mr. Khan's claims. Primitive forms of interrogation had been routinely used by police."21

The report further indicated that President Zia and the Pakistani government had endorsed the establishment of punishments such as floggings as codified under the Shariat. Given the press censorship which existed in Pakistan, arrests were not reported, particularly if they involved individuals who were not socially or politically well-known. The report stated that there were massive arbitrary arrests and imprisonments and denial of fair public trial and "there had been few press reports in which individuals had charged the police with entering their domicile without a warrant."22

On matters relating to civil and political liberties, the report observed that the martial law administration's tolerance of dissent had varied since it came to power in mid-1977. But 1981 saw a revival of "approved" political activities by the conservative and Islamic political activities which like other parties had been legally banned since 1979. Press censorship of domestic political news continued to be heavy, although critical news items occasionally appeared.

On freedom to participate in the political process, the report stated that political participation was very limited in 1981 because of the Martial Law Administration. On the government attitude and record regarding

21 ibid, p. 1073-74.
22 ibid, p. 1076.
international and non-governmental investigation of alleged violation of human rights, the report cited an Amnesty International report which expressed "deep concern over five cases in which prisoners died while in custody, allegedly after being tortured. In its report of September 1981 before the House Foreign Affairs Committee, Amnesty International, USA, said that the human rights situation in Pakistan had deteriorated 'sharply' since the beginning of 1981".  

The report also referred to financial assistance Pakistan received. It "received a total of $76.8 million as economic and military assistance, $47.5 million as loans and $29.3 million as grants from the U.S. in 1981. It also received a total of $479.3 million as assistance from various International agencies such as UNDP, IDB, IFC, IBRD etc. in 1981". The quantum of assistance received by Pakistan less than India. But the in term of per capita assistance the Pakistan received more than India:

The 1982 annual report on India was not different from 1981 report. It referred to the basic violation of human rights by police was reaffirmed. However, the report observed that investigative reporting of the press had increased which generated confrontations with some state governments.

The Report was quick to note the terrorist activities in northeast states of Mizoram, Manipur and Assam. It also observed that these groups were seeking secession from India affecting moral life of state by resorting to

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23 ibid, p. 1080.
24 ibid, p. 1082.
violence. Yet the report did not condemn these activities of terrorist who were violating human right of others.

On aspects of individual freedom including freedom from killing and torture, the report did not change its observation. It continued to point out that there were circumstantial evidence that torture by the police did occur. The report quoted press reports of 1982 indicating that police brutality applied to prisoners under detention occurred in Uttar Pradesh, Madhya Pradesh, and Tamil Nadu. One Press report indicated that 190 had died because of police brutality in Tamil Nadu. These press reports the State Department report noted were not substantiated by the state governments which denied that such deaths resulted from brutal treatment. Nevertheless, the State Department affirmed: "While specific data were not easily obtainable, there was no doubt that police brutality was practised in India though conditions vary widely from state to state". 25

With respect to civil and political rights, the report noted that there had been no restrictions in 1982 on criticism of the government of India. The press had played a major role in exposing serious cases of corruption at high levels in the state governments. However, the report affirmed that there was no restrictions on citizen to participate in the political process in 1982.

The State Department comments did not change substantially on the matters of Indian government permitting international investigation on human right violation. Yet it quoted international agency's report on the violation of human rights in India. The report observed that "Amnesty International’s

25 ibid, pp. 1127-28.
1982 report which listed the organisation's concerns "as the use of preventive detention to detain critics of the government, reports of police brutality, torture and deaths in custody, and continued killings in various Indian states of political activists in encounters with the police. However, Freedom House, in its 1982 report, classified India as "free". 26

The State Department report did not miss to report the quantum of financial and aid assistance to India. It stated. "received a total of $ 221.9 million as economic and military assistance, $ 79.0 million as loans, and $ 142.9 million as grants from the U.S. in 1982. In addition, it received $ 29.6 million as "other U.S. Loans", $ 29.1 million as ex-IM Bank loans and $ 0.5 million as "all other" loans from U.S. Besides these, India received a total of $ 1254.0 million as assistance from various International agencies such as UNDP IBRD." 27 What was missing in the report was the observation that the quantum of assistance to India was reduced in 1982 compared to 1981. Yet no explanation was provided.

On Pakistan, the Country report said, during 1982, "there were no known sources of disappearances, torture, or killings sanctioned by the government, although mistreatment of detainees, particularly in the interrogation process, resulted in at least 11 deaths in 1982. Law enforcement and adjudication as practised by the government had tended to create an atmosphere of intimidation that tended to curtail political activity and expression. In spite of this, a great deal of political discussion and

26 ibid, p. 1134.
27 ibid, p. 1136.
organisation opposed to the government was allowed to take place privately. The lifting of pre-censorship announced by President Zia in January 1982, shifted to newspaper editors the responsibility for ensuring compliance with unchanged censorship guidelines. Criticism of the government, veiled or otherwise, was more common during 1982 than at anytime since October 1979 when censorship was first imposed. But the government frequently expressed its displeasure through official warnings and by withholding government advertising from offending publications. 28

The report went on to say that ordinary citizens continued to be unable to participate in the political process at the provincial and national levels in 1982. The government made little real movement during 1982 towards restoring basic civil and political rights.

However, the report appreciated the Pakistani government's efforts in offering refuge to Afghans fleeing civil war, and after December 1979, the Soviet occupation of their homeland. The report said, "that despite serious economic burdens and social tensions created by the presence of about 2.8 million registered refugees, Pakistan continued to provide generous humanitarian assistance." 29

The report stated that since October 1979, the martial law administration had maintained restrictions on freedom of expression, limiting the civil and political rights. On the government attitude regarding international and non-governmental investigation of alleged violation of

28 ibid, p. 1242-43.
29 ibid, p. 1243.
human rights, the report observed “investigation of human rights abuses in Pakistan was difficult because the government did not publish relevant information and the press was subject to censorship. The report cited the Amnesty International report which said that “there had been a steady deterioration in respect of human rights in Pakistan, especially since the beginning of 1981. It cited in particularly the deprivation of civil rights as a result of the March 1981 provisional constitutional order. In addition, the report asserted that as many as 6,000 political prisoners were being held incommunicado. and that its investigation had revealed a systematic pattern of torture in Pakistan”.

The report indicated that Pakistan “received a total of $ 201.0 million as economic and military assistance, $ 81.5 million as loans, and $ 119.5 as grants from the U.S. in 1982. It also received a total of $ 371.3 million as assistance from various international agencies such as UNDP, IDB, IFC, IBRD etc”. 30

The 1983 State Department annual country report centred on reporting widespread violence in Assam and Punjab. The report did not miss the recording of increasing brutality of police and highlight the political dissention in the two states and violation of human rights of women. In the detail description the report recorded that widespread violence in Assam in early 1983 left at least 3,000 dead. In Punjab, violence exacerbated by extremists, centred around the political demands of the Sikhs. During the last two years, more than 120 people had died as a result of clash between police

30 ibid, p. 1254.
and demonstrators, attacks by members of one community or sect on members of another, or assassinations of officials. The government of Punjab was dissolved and President’s rule declared in early October 1983. A high level violence continued.

Despite legal protections, reports indicated that “police brutality was widespread. Staged deaths of already-dead criminals or political activists, in what were known as police encounters, continued to be reported. Violence by police forces, particularly prevalent in northern India, probably stemmed from the initiative of local police officials, although the Indian press widely claimed that state government officials encouraged and condoned it.”

The report, however, observed, that there was respect for political rights, civil liberties and free participation in political processes in India in 1983. However, the report quoted Amnesly International observation of alleged violations of human rights, the preventive detention laws were used to detain dissidents, and torture, them too.” Having adversely reported it, it also cited a Freedom House report which did not point such bleak picture but also rated India overall as “free”.

Like the earlier report, the 1983 State Department annual country report on India in the appendix enumerated the nature of financial assistance and aid received by India from the U.S. The report said, India “received a total of $209.6 million as economic and military assistance, $64.4 million as


ibid, p. 1250.
loans, and $ 145.2 million as grants from the U.S. in 1983. Besides this, India received $ 6.8 million as ‘other U.S. loans’, $ 6.4 million as ‘ex-IM Bank’ loans and $ 0.4 million as ‘other’ loans. In addition to these, India received a total of $ 2166.1 million as assistance from various International agencies such as UNDP, IFC, IBRD, IDB etc”.33

It is not clear why the State Department had recorded there financial assistance to India which was more than the year 1982. Still the essentive did not link human rights violation or performances with the quartum of assistance. However, these assistance once again when if was introduced in the Congress as part of Foreign Aid Bill provided the forum for anti-India Senates & anti-India lobbies to promote debate on human right violation in India.

On Pakistan, the report stated: ‘during the last half of 1983, the government sought to assert greater control of the press by warning offending editors and denying government advertising to their publications. Authorities temporarily reimposed pre-publication censorship on three papers in Sind, accused encouraging anti-government violence, and for the first time in several years, arrested four newspaper editors for defying censorship guidelines”.34

The report observed that during the year, at least eight persons died while in police custody. One, noted political figure Yusuf Lacewalwa, allegedly suffered a heart-attack while jailed in Karachi. According to local

33 ibid, p. 1253.
34 ibid, pp. 1385-86.
press reports, the others apparently died from mistreatment during arrest and interrogation. Islamabad jailers killed a sanitation worker in July and another in September. In 1983, credible allegations were made of torture of detainees. Throughout 1983, restrictions existed on freedom of press and expression. And respect for political rights, civil liberties and the freedom to change the government were denied to the people of Pakistan under the military junta. Besides Amnesty International and Freedom House observed that the people in general in Pakistan 'not free'.

The report recorded the observation of a representative of the Lawyers Committee for International Human Rights which very briefly visited Pakistan in 1983 and claimed that thousands of political prisoners were in Pakistan, many of them under inhumane conditions. The report alleged that the current martial law regime had devastated the civilian judicial system, and sharply curtailed civil and political rights.

The report as usual did not fail to record the nature of quatum of financial assistance and aid to Pakistan. The report records that Pakistan “received a total of $ 539.5 million as economic and military assistance, $ 374.5 million as loans, and $ 165.0 million as grants from the U.S. in 1983. It total received $ 2000.0 million as aid, and $ 574.3 million as assistance from various International agencies such as UNDP, IDB, IBRD, IFC etc”. Once again these figures were placed in isolation without having any direct relevance to human right performance.

35 ibid, p. 1393.
36 ibid, p. 1396.
The major tragic developments of 1984 in India, especially in Punjab, was of special focus of recording in the State Department annual report. The political agitation of the Sikh was viewed as part human right concern and there was no recording of condemning of terrorism that Sikh had unleashed affecting the human right of others. There report recorded the government decision to sent army unit inside the Golden Temple, the Sikhs most Holy Shrine to "remove armed extremists who had fortified the temple followed unsuccessful public and private negotiations. Heavy fighting with the armed extremists inside the temple complex resulted in 574 deaths, according to government figures. Non-official sources claimed the death total was much higher. Following this action, the level of violence in Punjab dropped sharply". 37

The reporting on Prime Minister Indira Gandhi’s assassination in October 1984 and resulting anti-Sikh riots are only chronological representation. The State’s duty to guard the human rights of majority against the onslaught of terrorist and extremist Sikhs is not appreciated. The report stated the province continued under President’s rule without an elected government. A special terrorist ordinance permitted preventive detention as well as closed trials for suspected terrorists. Punjab remained closed to foreign visitors without special permission to enter.

The role of paramilitary forces in India in respect of law and order maintaining is very significant. It has almost the same role as the American federal forces. The use of American federal forces to maintain law and order in race riots is a known phenomenon. Therefore Indian State and central

governments option to protect the human rights of majority is not strange an unusual arbitrary action. Therefore the reporting by the State Department that Indian state and central government increasingly relied on paramilitary force for maintaining law order is a statement of fact but not necessarily source of violation of human rights.

The report, however, observed there was respect for civil and political rights, freedom of expression and freedom of participation in political process in India in 1984. As usual the report quoted the observation of Amnesty International which focused on the abuse of preventing detention legislation and police brutality. However, to keep a semblance of objectivity the State Department report also quotes, the Freedom House annual report which claims India ‘free’.38

The report indicated that during the year 1984 India received a total of $213.4 million as economic and military assistance, $61.5 million as loans, and $151.9 million as grants from the U.S. Besides this, India received $87.5 million as aid, and $2766.1 million as assistance from various international agencies like UNDP, IBRD, IFC, IDB etc”.39 It may be noted that these various grants and assistance were not linked with the human rights situation prevailing in India during 1984. As part of the Congressional requirements, the State Department reports to the Congress about these grants being received by a concerned country.

38 ibid, p. 1230.
39 ibid, p. 1232.
Surveying the political landscape of Pakistan during the year 1984, the Department of State in its country report appreciated the Pakistani government’s decision to release most of the persons arrested in connection with the Movement for the Restoration of Democracy (MRD), civil disobedience campaign in the fall of 1983. As the country prepared for election in 1985, a number of prominent politicians were released from detention, though many still faced restrictions on their ability to travel and speak. Martial law would apparently end sometime after the newly-elected legislature met.

The report however, stated that “there were frequent and credible allegations of police, para-military and military torture of detainees. In September, over 100 lawyers belonging to the Lahore Bar Association issued a statement charging that systematic torture of prisoners occurred with 5 prisoners. Human rights groups estimate that there were between 500 to 1,500 political prisoners languishing in various Pakistani Jails”. 40 The report further said, freedom of expression was restricted in 1983, and respect for civil and political rights were very limited, and the right of citizens to change their government was very limited.

Praising the Pakistani government for facilitating the visits of international human rights organisations the report, however, expressed serious concern citing an Amnesty International report which stated that “the government had allowed visits by international human rights organizations, but had not responded to critical reports by Amnesty International, Freedom

40 ibid, p. 1360.
House, the Lawyers Committee for International Human Rights and others. “several prisoners of conscience, use of military courts, and summary procedures, use of death penalty, sentences calling for flogging and amputation, and the possible expulsion of refugees to territories where their life or freedom would be threatened, were cause of concern. Reports it received claimed that dozens of political prisoners had been detained for over two years without formal charges and that some political prisoners had been tortured or had died while in police custody”. The report cited the annual report of the Freedom House which labelled Pakistan as ‘not free’ country.

The report also indicated that, Pakistan “received a total of $ 608.2 million as economic and military assistance, $ 422.5 million as loans, and $ 185.7 million as grants from the U.S. in 1984. It also received a total of $ 225.0 million as aid from the U.S. and $ 643.4 million as assistance from various international agencies such as UNDP, IBRD, IFC, IDB etc”. It may be noted that Pakistan received much of its assistance from the US for fighting the communist Soviet Union in Afghanistan.

The country report while surveying the Indian human rights situation in 1985 expressed concern over the upheaval in Punjab, following the ‘Operation Blue Star’ and Mrs. Gandhi’s assassination events. The report also expressed concern over the killing of the Akali Dal Chief Harchand Singh longval as 20 August 1985, by Sikhs opposed to the accords reached between the Sikh leadership and the government. The report expressed

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41 ibid, p. 1368.
42 ibid, p. 1370.
serious concern over random terrorist bombings that in northern India including Delhi when “terrorists rigged small transistor radio bombs to explode on buses, trains and in other public places. In response to these incidents, Parliament passed the Terrorist and Disruptive Activities (prevention) Act. Human rights activists voiced concern that this law might allow undue government interference in the legitimate activities of the citizens. To date, the government did not invoke this Act”. 43

The report also cited the Amnesty International’s report which “expressed concern about the detention of prisoners of conscience and about large number of political detainees held without trial under preventive detention legislation permitting trial in camera, allegations of torture, reports that alleged extremists were shot dead by security forces after capture, and judicial executions”. 44 However, Freedom House in its annual report called India as ‘free’, the report added.

The country report indicated that, India “received a total of $191.2 million as economic and military assistance, $59.3 million as loans and $131.9 as grants from the U.S. in 1985. Besides this, India received $88.6 million as aid, and $2522.0 million as assistance from various international agencies such as UNDP, IBRD, IFC, ADB etc”. 45

44 ibid, p. 1229.
45 ibid, p. 1233.
Turning its focus on Pakistan, the country report maintained that human rights abuses in Pakistan has been common in both the civilian and military governments since 1947. Although in 1985, human rights situations were looking up, but nevertheless, it still remained. The report stated that the authorities in 1985, on several occasions used “preventive detention and more frequently externment orders, (banning individuals from particular province) to curtail the activities of opposition leaders”. 46

The report also criticised the Pakistani government for denying basic human rights to its citizens and expressed serious concern over the treatment meted out to political prisoners. It cited the report of the Amnesty International which “expressed concern over the continuing detention of prisoners of conscience, the fact that hundreds of other political prisoners were tried before military courts whose procedures fell short of internationally accepted standards for a fair trial, in communicado detention, reports of torture, and deaths of criminal suspects in police custody, allegedly due to torture, the detention of prisoners in bar fetters, and shackles, and the frequent imposition of death sentences and flogging”. 47 During 1985, Freedom House, however, upgraded Pakistan’s rating from ‘not free’ to ‘partly free’.

The report also stated that, Pakistan “received a total of $ 665.2 million as economic and military assistance, $ 464.1 million as loans and $ 201. million as grants from the U.S. in 1985. And besides this, it received a total

46 ibid, p. 1352.
47 ibid, p. 1359.
of 250.0 as aid from the U.S., and $1093.2 million as assistance from various international agencies like UNDP, IBRC, IFC, IDB etc". 48

The 1986 year country report on India maintained that violence resulting in the abuse of human rights continued in the state of Punjab and Bihar. It reported that "some leaders in Punjab claimed that police efforts had resulted in the deaths of persons with no clear terrorist connections. This claim was disputed by police authorities. The level of terrorism elsewhere related to Punjab had declined, although incidents such as the murder of the retired army Chief of Staff General A.S. Vaidya in August and the October 2 attempt to assassinate Prime Minister Rajiv Gandhi continued to plague India". 49

In respect of the Indian government attitude regarding international and non-governmental investigation into alleged violations of human rights, the report stated that, "there were no reports of international investigations of human rights problems in India during 1986. However, it expressed concern over some press reports claiming that on occasion representatives of Indian human rights organisations were harassed by state governments who regarded their activities as politically sensitive and thus ‘subversive’". 50

The report also indicated that, India "received a total of $93.5 million as economic and military assistance, $48.0 million as loans and $45.5 as

48 ibid, p. 1362.
50 ibid, p. 1153.
grants from the U.S. in 1986. Besides this, India also received a total of $93.5 million as aid from the U.S., and a total of $2,534.2 million as assistance from various international agencies such as UNDP, IBRD, IFC, IDB etc. 51

It may be noted that India's economic and military assistance was reduced in 1996 in comparison to last year's assistance.

Focussing its attention on Pakistan, the country report observed that the cause of human rights and fundamental freedoms advanced in 1986 after the ending of military rule in Pakistan on 30 December 1985, thus ending seven years of martial law and twenty-years-old state of emergency. It stated that martial law courts were abolished, martial law lifted, the 1973 constitution and fundamental rights restored, Parliament's independence asserted, and political life and political parties revived. During 1986, the nation was administered by a civilian parliamentary government, although President Zia retained substantial powers. The government was headed by Prime Minister Junejo. Although the judiciary was prohibited from reviewing decisions of the martial law period, the government agreed to consider legislation that would allow persons alleging abuse of their rights during the martial law era to seek redress.

But nonetheless, "the government had detained Benazir Bhutto and other leaders and several thousand supporters, most of whom were released within 30 days. There had also been temporary bans on large gatherings after outbreaks of sectarian and ethnic violence. In December the government banned public gatherings and imposed curfews after various ethnic fighting

51 ibid, p. 1155.
broke out between Pathans and Mohajirs in Karachi and Hyderabad. During the conflict, more than 900 people were arrested and approximately 180 were killed".  

In respect of Pakistani government attitude regarding international and non-governmental investigation of alleged violations of human rights, the report said, "Pakistan had allowed visits by individuals affiliated with Amnesty International, the Lawyers Committee for Human Rights, Freedom House and other international human rights organizations, but had not facilitated their investigations nor responded to critical reports they had issued".  

The report also indicated that, Pakistan "received a total of $578.7 million as economic and military assistance, $382.0 million as loans and $196.7 million as grants from the U.S. in 1986. Besides this, it received a total of $263.4 million as aid from the U.S., and a total of $1267.1 million as assistance from various international agencies such as UNDP, IBRD, IFC, IDB etc". In case of Pakistan, the US government reduced the financial assistance to some extent compared to the last year's.  

Shifting its focus on Pakistan, the country report in 1987 expressed serious concern over the abuse of human rights in Pakistan's Sindh province and Karachi city, caused by ethnic strife and the resultant army and police

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52 ibid, p. 1266.
53 ibid, p. 1276.
54 ibid, p. 1278.
excesses in controlling it. In further stated that, in 1987, the government tabled in Parliament the report of the Mishra Commission, created to investigate the anti-Sikh riots in 1984. The report was highly “critical of police actions and stated that the army should have been called out sooner to suppress the riots”. 55

It stated that members of religious minorities, particularly the Ahmadis, continued to face discrimination and were the targets of police and public harassment. Police abuse of prisoners remained a significant problem, though democracy continued to advance in Pakistan in 1987. In its 1987 report, covering 1986, Amnesty International noted reports of police torture of criminal suspects throughout the country”. 56

In respect of Pakistani government attitude regarding international and non-governmental investigation of alleged violations of human rights, “the report stated that Pakistan had allowed international human rights activists to visit Pakistan to probe human rights violations. Appropriate government officials, including the President, Prime Minister and Chief Ministers, had met with the delegations, whose meetings and reports had been reported widely in the press. The government had not, however, responded to criticisms in the reports, the organisations had issued”. 57

56 ibid, p. 1270-71.
57 ibid, p. 1282.
The Reagan administration’s last year country reports on India in 1988 expressed grave concern over the wave of terrorist violence and retaliatory killings by security forces in Punjab, thus resulting in abuse of human rights. It also criticised the terrorist for killing innocent civilians, police personnel and political leaders opposed to their cause. The report maintained that, in May, during an exercise code-named ‘Operation Black Thunder: the “security forces killed over 20 Sikh militants who had taken armed control of the Golden Temple Complex in Amritsar and arrested 75 others”. 58

The report, had, however, appreciated the government’s showing restraint in contrast to the 1984 “Operation Blue Star”, in which over 1,000 people died and heavy damage was caused to the Golden Temple shrine itself. The report said, that the militants had tortured and killed a number of people, who were captured by them inside the shrine.

The report cited an Amnesty International’s report titled, India: A Review of Human Rights Violations’, “criticising anti-terrorist and preventive detention laws, under which it stated several thousand political detainees had been held without charge or trial, including hundreds of Sikhs in Jodhpur jail since 1984. The review urged the government to restore legal safeguards, take steps to prevent torture and deaths in custody and undertake impartial investigations into cases of illegal police actions. A government spokesman responded that most specific changes of human rights violations had proved

58 ibid, p. 1329.
to be baseless, adding that wherever changes had been proved, exemplary action had been taken against the guilty." 59

Focussing its spotlight in Pakistan, the country report on 1988 observed that despite political upheavals human rights had improved in certain areas, but nevertheless human rights violations still continued to plague Pakistan. Expressing serious concern, the report stated that kidnappings and random violence continued to plague much of the southern province of Sind and the tribal areas in the North-West. Government forces had at times violated individual rights and used excessive force in efforts to combat banditry and reestablish law and order. There were repeated incidents of ethnic violence, especially in Karachi and Hyderabad, while ethnic and sectarian groups expanded both their membership and influence. According to official figures, 154 persons were killed in eight ethnic riots in Karachi alone during the first ten months of 1988. Widespread police abuse of prisoners and the failure of authorities to try and punish personnel who committed such abuses remained a significant problem. 60 The report maintained that even after the withdrawal of the Press and Publications Ordinance and replacing it with a less stringent ordinance in 1988, the press in Pakistan continued to be under government control and influence. And the respect for integrity of person, including freedom for integrity of person, including freedom from political killing, disappearance, torture, inhuman or

59 ibid, p. 1337-38.
60 ibid, p. 1462.
degrading treatment or punishment were not fully safeguarded even during democratic rule government. The report said, "police beatings and torture of arrestees led to death in some instances. Several prominent political figures were assassinated in Pakistan during 1988. It was still unclear who were responsible for these killings".  

The report, however praised the Pakistani government for allowing visits by persons affiliated with Amnesty International, the Lawyers Committee for Human Rights, Freedom House, the International Commission of Jurists, and other human rights organisations. It stated that the government had permitted an American team from the National Democratic Institute to observe the local elections in November, 1987 and the National Assembly elections in November, 1987 and the Provincial Assembly elections in 1988. Government officials also cooperated fully with the Afghan Human Rights Reporter from Helsinki Watch and with the UN Human Rights Commission’s Special Rapporteur for Human Rights in Afghanistan.

It may be noted that the State Department did not mention various grants and assistance India and Pakistan received in 1987 and 1988 from the US. The Department of State submits these annual reports on human rights practices and the level of assistance given to the concerned countries, to the Congress to enable it to monitor continuously the human rights situations in various countries.

61 ibid, p. 1462-63.
REAGAN'S HUMAN RIGHTS AND SECURITY POLICIES TOWARDS INDIA AND PAKISTAN

All in all, the Reagan administration, in fact, condemned the terrorist activities in India and supported India's policy to deal with this terrorist menace, as the President Reagan was according highest priority to stamping out international terrorism, considering it as the highest violation of human rights in the world including the border states of Punjab. This fact is eloquently established in the country reports on India brought out by the State Department from 1981 to 1988.

Therefore, it could be said that, though the Reagan administration was not particularly happy with the human rights situations in India, but nevertheless, it was very understanding and accommodating in its views in sharp contrast to the undue belligerence on the part of the Congress, especially some Congressmen.

And in case of Pakistan, the Reagan administration turned Nelson’s eye to the grave human rights violations under military dictators like Zia. Since Pakistan was posited as a frontline state of US to fight the communist forces led by Soviet Union in Afghanistan, hence, all the charges of human rights violations were swept under the carpet.

Therefore, Pakistan was an area where the Reagan administration’s performance cast doubts to its concern for human rights, which continued to receive military aid despite the "very grim" human rights conditions there. Pakistan was pictured as a “champion of freedom in a trouble area”, here as elsewhere, in the Reagan lexicon “freedom” actually meaning “anti-
Communism". Reagan justified continued support for Pakistan on the grounds that such assistance was provided to the country as such, not to Pakistan’s Zia-Ul-Haq, whose regime was responsible for the abuses of human rights in that country.

Reagan administration officials also defended the US policy towards Pakistan by asserting that the Asian sub-continent was too complicated an area for the US to understand, that when a "competent ruler such as Pakistani’s Zia defines a situation in a certain way, the US government is not qualified to dispute this definition". 62

However, a critical observer could easily see a protective disclaimer like this as additional reason to doubt the intensity of the administration’s commitment to human rights. The administration did not hesitate to condemn human rights violations in other countries that to an unbiased observer would seem to be at least as complicated as that in Pakistan. The defense of the administration’s position vis-a-vis Pakistan, in other words, "is so weak as to lead to the conclusion that the only motivating factor here was a preference for security over its rival concern, human rights". 63 A frank statement to this effect would be preferable to an unconvincing assertion that the administration was facing a situation ‘too complicated to permit an American assessment’.


The Reagan Administration’s selectivity in implementing its human rights policy was an almost inevitable consequence of the rationale on which its foreign policy was based. This rationale, which posited Soviet/Communist expansionism as the principal threat to the US interests, pervaded and guided all aspects of the administration’s foreign policy, including human rights.

When the administration’s anti-communism thrust entered the area of human rights, it carried with it a division of non-democratic political systems into two categories: authoritarian and totalitarian dictatorships of the right and left, respectively.

While human rights violations could be found in both of these non-democratic systems, the Reagan philosophy maintained that the two differed in two significant respects: (1) authoritarian regimes were said to be redeemable, capable of evolving into rights-respecting democracies, but the same could not be said concerning totalitarian systems, and (2), authoritarian regimes, in the main, were politically friendly to the US, but those of a totalitarian nature tended to be either unfriendly or hostile to this country.

The implementation of the Reagan human rights policy was strongly influenced by these considerations. Secretary of State Shultz was charged with “underscoring US indifference to the plight of Pakistanis by remaining silent about violations of their rights while championing those of Afghan refugees in Pakistan, to whom he pledged support”.

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And also the negative evaluations of the Reagan administration in regard to human rights were based on what was perceived to be failures to implement the legislation in a number of specific cases, of which the following is the example.

In case of Pakistan, the administration in 1981 concluded a six-year military and economic aid agreement in spite of reports of the Pakistani government’s mistreatment of political prisoners and in apparent disregard of “Section-620E” of the Foreign Assistance Act, which stipulated that the aid was to be used “to promote the expeditious restoration of full civil liberties and representative government in Pakistan”.65

The pattern of selective application of pressure on human rights violations through International Financial Institutions (IFI’s) continued in the later years of the Regan administration. In the first nine months of 1985, “the US gave support for loans to at least eight countries guilty of serious human rights violations. They were Phlippines, Turkey, Gautemal, Paraguay, South Korea, Haiti, ‘Pakistan’ and EL Salvador—all friends of the US”.66 The only countries to which the administration tried to deny IFI aid were countries under leftist regimes, such as Angola, Syria and South Yemen. Reagan administration used this IFI as part of a ‘carrot’ of pressure and inducement tactics to implement the human rights policy selectively. Thus, in case of Pakistan, the Reagan administration put high premium on security interests than on human rights concerns.

65 A. Glenn Mower, Jr., n.63, p. 65.
Thus, it seems, Reagan was initially opposed to using US foreign policy to promote human rights around the world. Although this attitude softened, Reagan had insisted that human rights can be furthered best though ‘quiet diplomacy’ and ‘constructive engagement’. Reagan signalled his lack of concern about human rights when he waited a long time before filling the post of Assistant Secretary of State for Human Rights and Humanitarian Affairs and then nominated Ernest Lefeven, “who had publicly advocated repealing all human rights legislation and transforming all human rights policy into anti-communism.”

Those who have examined the record of the Reagan administration on the advancement of human rights in the less developed world like India and Pakistan have given it mixed reviews. Most observers have concluded that his administration placed a lower priority on human rights than his predecessor had, proclaimed the symbolic goal of advancing human rights less frequently, and emphasised different kind of human rights from the ones Carter did. For example, “a recent study of the votes of US representatives on the board of multilateral development banks showed that during the Carter administration representatives often opposed loans on human rights grounds. Representatives of the Reagan administration seldom did.”

Some have even argued that these differences between the Carter and Reagan administrations were so great that the Reagan administration was not

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really concerned about human rights at all. In contrast, Jack Donnelly contends that the Carter and Reagan policies on human rights, "despite their seemingly diametrically opposed starting points, can be seen largely as matters of degree or consistency."69

In its first months in office, the Reagan administration urged Congress to reinstate military aid to Argentina, Chile, Gautemala, and Uruguay - all of whom had been denied assistance by the Carter administration because of systematic violations of human rights. One reason for the difference of opinions over the Reagan record on human rights was that his administration meant something different than Carter had when they invoked the cause of human rights. Reagan essentially coopted the human rights issue by equating the promotion of human rights with the promotion of democracy. Reagan never acknowledged the existence of economic rights and unlike Carter, never gave high priority to the protection of the rights of the integrity of the person.

The debate over which rights are the most basic human rights is an old one. Neither special nor cynical, it reflects real ethical differences concerning which types of human rights are most important to human kind. For the Reagan administration, respect for civil and political liberties such as freedom of speech, press, religion and travel was the most important category of human rights. Once these rights were lost, all other rights were in jeopardy, because government tyranny over the people could no longer be checked. The administration also made a significant change in the

terminology used in the ‘Country Reports on Human Rights Practices’. It provided evidence regarding its priorities among the other two categories of human rights: the right against violation of the integrity of the person and the right to a minimum standard of living. During the Carter administration, each report contained a section on "Government policies relating to the fulfillment of such vital needs as food, shelter, health care and education". This was the second category of rights discussed in each country’s human rights report.

Beginning with the very first volume produced by the Reagan administration in February 1981 and continuing to the present, that section no longer appears. Instead, each report begins with an introduction, as before, followed by a description of conditions regarding respect for the integrity of individual and for civil and political liberties. These sections are followed by a section on general economic and social conditions in the country. President Reagan explains the break with the past in his introduction to the 1981 country report, “the urgency and the moral seriousness of the need to eliminate starvation and poverty from the world are unquestionable, and continue to motivate large American foreign aid efforts. However, the idea of economic and social rights is easily abused by repressive governments which claim that they promote human rights even though they deny their citizens the basic right to the integrity of the person, as well as civil and political rights. This justification for repression has in fact should be allowed to become on excuse for the denial of other rights. For this reason the term economic and social rights is, for the most part, not used in this year’s reports.”

70 Department of State, n.6, p.5.
Thus, Reagan administration denied the very existence of economic rights. For his administration, civil rights and liberties received highest priority, followed closely by rights of the integrity of the person, and very distantly, if at all, by the obligation of government to provide for the economic and social welfare of its citizens.

However, for many Third World Countries like India and Pakistan, economic rights are the most fundamental, since a minimum standard of living is a necessary condition for human dignity. Nearly as important are the rights of the integrity of the person, but the leaders of many Third World nations do not consider it the exercise of those rights could interfere with the goal of improving economic and social conditions. Many of them would "argue that government for the people is more important than government by the people." 71

Although, Reagan never formally acknowledged the existence of economic rights, he did abandon his early strategy of open antagonism toward incorporating any human rights considerations into foreign policy decision making. Instead, by 1982, the Reagan administration pursued two tracks in the name of human rights. It made a positive effort to expound the advantages of democracy, and it pursued a negative policy of scolding friend and adversary alike for any abuse of their citizens' integrity of person, and their rights to civil and political liberties. As Tamer Jacoby noted that this

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new strategy brought US foreign policy more into line with the idealistic values of the American Public.

In his address to the U.N. General Assembly in September 1984, President Reagan stated, that the “United States will continue to view concern for human rights as the moral centre of our foreign policy”. 72 On December 10, 1984, the United Nations General Assembly, celebrated the 36th anniversary of the Universal Declaration of Human Rights, and President Reagan, in signing his annual Human Rights Day Proclamation, took the opportunity “to reaffirm American commitment to the international standard set by the Universal Declaration”. 73

At the Reagan administration's urging in 1983 Congress approved 'Project Democracy', for facilitating such institutions around the world. The programme is administered by the National Endowment for Democracy (NED), and according to the enabling legislation, it funds projects around the world to help build an infrastructure for democracy.

The overall Reagan administrations human rights policy represented a cautiously progressive approach to improving respect for human rights around the world in general and India and Pakistan in particular Spokespersons of Reagan administration stressed the importance of “targets of opportunity” to

make substantial gains in respect for human rights without seriously risking the national self-interests.

The Reagan administration assumed office with the announced intention of dealing in an even-handed manner with violations of human rights in other countries. The State Department spokesman William Dyess reflected this approach saying that the Reagan administration is determined to focus attention on all human rights abuses wherever they occur in the world. This commitment to evenhandedness was renewed in the administration's first issue of the country report on human rights practices in 1981 which asserted that the US human rights policy will not pursue a policy of selective indignation.

While the Reagan administration may have been officially committed to the principle of evenhandedness in its response to human rights situations, however its actions had led many observers to conclude that it had really chosen to operate it selectively. The critics have remarked that the Reagan administration had tended to criticise those governments perceived to be hostile to the United States such as Soviet Union and its proxies and tended to deny or justify serious abuses of human rights by governments it perceived to be as friendly to the United States such as Pakistan, Phillippines, South-Korea, Taiwan and South-Africa.

Some others have charged the Reagan administration with failure to practice evenhandedness in the annual proceedingts of the UN’s Commission
on Human Rights in the early 1980's. In these years, it was alleged that the United States employed a double standard by voting to condemn Poland but not Guatemala and by criticising against the Soviet Union, Cuba and Nicaragua while failing to condemn Pakistan and El Salvador.

In an editorial in the prestigious New York Times in October 1985, the Reagan administration was criticised for “castigating the Soviet Union at a Geneva Summit meeting but failing to say anything about apartheid in South-Africa or the lack of political liberty in South-Korea, Chile, Pakistan and the Phillipine’s.”\(^7^4\)

However, the Reagan administration’s selectivity in implementing its human rights policy should be seen as a cold-war contrivance to fight the communist counties led by the erstwhile Soviet Union. This policy of selectivity was nothing but an inevitable consequences of the rationale, on which the Reagan administration’s cold war foreign policy was founded. This rationale posited communist expansionism led by Soviet Union as the principal threat to American interests Regan had proclaimed the Soviet Union as “Evil Empire”.

Thus, the Reagan administration was perceived as being more tolerant of rights violations committed by right-wing dictators who were friendly to the United States like Pakistan, South-Africa, Phillipines etc. But the Reagan administration was very tough with the left-wing regimes who were

viewed as hostile to the US like Soviet Union, Poland etc. This approach of Reagan administration demonstrated the impact of not only the impact of political and security considerations on the implementation of human rights policy but also of the authoritarian and totalitarian dichotomy, fashioned by the sheer cold-war pragmatism.

The US Congress played a major role in furthering the cause of human right in the 1990's. The Harkin amendment, or the Section-116 of the Foreign Assistance Act of 1961, as amended, prohibited economic assistance to the government of any country which engages in a consistent pattern of gross violations of internationally recognised human rights, unless such assistance will directly benefit the needy people in such country.

The Reagan administration, although, altered the State Department policy regarding Section-116 but not so much of AID Policy. It was clear from the public and private record that the administration was as reluctant to manipulate economic as security assistance in the name of human rights. Assistant secretary Abrams said in 1983 that "we are reluctant to use economic aid as a tool for our human rights policy."  

The Reagan administration approach to the question of tactics to be used to implement its human rights policy was summerized in the introduction to the country reports on human rights practices for 1983 which noted a broad

range of instruments and techniques. It declared that “in dealing with friendly
government, we have engaged in the kind of frank diplomatic exchanges often
referred to as ‘quiet diplomacy’. Where diplomatic approaches have not
prevailed, or where our influence with a foreign government is minimal, we
have dissociated ourselves from odious human rights practices by denying
economic and military assistance, voting against multilateral loans, and
denying diplomatic support. Where appropriate, we have distanced ourselves
from human rights violators by public pressures and statements denouncing
their actions. In most cases, we have employed a mixture of traditional
diplomacy and public affirmation of American interest in the issue.”

To sum it up, security considerations played a very pivotal role in
Reagan administrations policies towards US allies. It had taken precedence
over human rights issues. Countries which were denying fundamental human
rights to their citizens were “granted most-favoured-nation trading status
during Reagan’s times, such as Pakistan, Indonesia, Somalia, Zaine, Hungary
and Romania”.

Thus during Reagan’s Presidency, the issue of human rights had taken
a backseat as he was busy strengthening and giving primacy to national
security, reducing tensions between Washington and potential antagonists as
he believed that the goals of foreign policy were plural and it is the security

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76 US Department of State, n.31, p.4.
considerations which should decide his country's foreign relations in the world.

President Reagan's approach to human rights vis-a-vis security interests were clearly vindicated in his reported statement 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 processes is always in the national interests".  

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