

# American-Pakistani Strategic Relations 1971-1981 : India's Perceptions and Reactions

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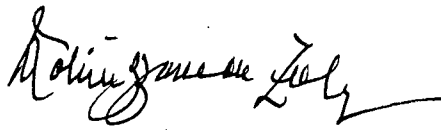
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Certified that the dissertation entitled  
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Paritosh Mishra in partial fulfilment for the require-  
ment of the award of the Degree of Master of Philosophy  
of this University has not been submitted previously  
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## C O N T E N T S

	<u>Page No.(s)</u>
Introduction	1
Chapter 1 Indo-Pak War of 1971 And U.S. Policy	11
Chapter 2 The Bhutto Era And American- Pakistani Strategic Relations	29
Chapter 3 Carter Administration And American-Pakistani Strategic Relations	63
Conclusion	78
Appendices	83
Bibliography	126

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## INTRODUCTION

### 1971 - A Watershed

The year 1971 marked a watershed in the history of the Indian subcontinent. The Indo-Pakistani war and the liberation of Bangladesh from Pakistan not only radically altered the state structure in the subcontinent but also drastically transformed the power balance in South Asia. The separation of Bangladesh from Pakistan marked a successful challenge to the very concept on which Pakistan was created - that of the two-nation theory. The protagonists of this theory had argued that as the geographical territories of India and Pakistan were inhabited by people who adhered to two different religions, there should be two separate independent States. But the 1971 Indo-Pakistani war exploded this myth. Islam, in the absence of other cementing bonds like language and social ethos, could not hold together the two wings of Pakistan. With the 1971 war crumbled down the whole geographical absurdity that was Pakistan. The war led to an excruciating search for a new identity on the part of the ruling elites of Pakistan and put to question the gamut of strategic doctrines on which the erstwhile Pakistani leaders had based their security perceptions. This dissertation seeks to analyse the strategic relations between the United States and Pakistan during 1971-1981. Here the term 'strategic relations' is taken to mean basically three things -

the place of Pakistan in American strategic thinking and vice versa, American arms aid to Pakistan and the issues related with it, and Pakistan's search for a nuclear capability as well as its fallout on the U.S.-Pakistani relationship.

In view of the history of antagonism and suspicion between India and Pakistan, the strategic relationship between the United States and Pakistan always has its fallout in India. The dissertation also analyses the perceptions and reactions of India towards U.S.-Pakistani strategic relations between the period 1971-1981. Of course, it should be made explicit that the Indo-American and Indo-Pakistani relations per se are not the concern of this research work. It only deals with India's perceptions of and reactions to the American-Pakistani strategic relations during this period.

#### Sources of Discord Between India And Pakistan

The roots of the sources of discord between India and Pakistan are enmeshed in the labyrinth of subcontinental history, often going back to the days of the partition. Even though the partition of India in 1947 represented the collective failure of the national leadership, comprising the Indian National Congress and the Muslim League to evolve a workable political framework for the country in the wake of the withdrawal of the British, the subsequent debates on the history of partition have very often been marred by a

thick speck of passion and prejudice enveloping the whole host of issues. A perusal of such debates shows that the Pakistanis have never made a distinction between the demand for Pakistan based on the two-nation theory and the legal and constitutional basis for the transfer of power Act, whereas India has never accepted the two-nation theory even while accepting the State of Pakistan. Indians refer to the Qaid-e-Azam's speech to the Pakistani Constituent Assembly on August 14, 1947 and point out that the founder of Pakistan had not referred to the nations at all, but only to the inevitability of partition as a solution to India's constitutional problem. On the other hand, he had exhorted that in independent Pakistan there were no Muslims and Hindus, but only Pakistanis. If the two-nation theory had been the basis of partition, Mr. Gujral could not have been a member of the Pakistan Constituent Assembly up to June 1948. If the two-nation theory had been accepted, there would have been no need for holding a referendum in the North-West Frontier Province and asking the Punjab and Sind legislators to vote on partition.

However, Pakistanis have perceived that the rejection of the two-nation theory is tantamount to rejection of the existence of Pakistan. In rebuttal, Indians have argued that Israel as a State had been accepted by many nations which, however, rejected the Zionist doctrine. The Soviet Union and the People's Republic of China are accepted by

other nations without the Bolshevik and Maoist doctrines being endorsed. However, such arguments have not been able to assuage the Pakistani threat perceptions vis-a-vis India.

The other major source of discord between India and Pakistan has been the Kashmir issue which has cropped up time and again. The Pakistani scholars cite the advice given by Lord Mountbatten to the princes that they should accede to one of the two dominions taking into account the wishes of the people and their geographic contiguity and argue that since at that time Sardar Patel was in charge of the states portfolio this advice should have been treated as binding on him. However, they argue, in the case of Kashmir, both the principles of geographic contiguity and composition of the population were flouted.

Pakistanis also charge that India has reneged on the U.N. resolution on Kashmir. The relevant U.N. resolution of August 13, 1948 related to Part III on holding a plebiscite on Kashmir, but the two earlier parts (Part I and II) related to the withdrawal of Pakistani forces and restoration of the jurisdiction of local administration in areas occupied by Pakistan. These two parts have never been fulfilled by Pakistan till today. Again, the Indo-Pakistani dialogue on Kashmir was overtaken by events of far greater concern in mid-1950s. The Indian change of stance took place in 1954, after the massive inflow of U.S. military aid into Pakistan, the advent of the cold war into the subcontinent, the meddling of the



region's affairs by the U.S.A. under the crusading zeal of the Dulles brothers and the consequent complete change in the context of India-Pakistan relations as they had developed until then.

Another source of discord between India and Pakistan, is the continual attempts by the ruling elites of Pakistan to act as the champion of the cause of Muslims in India. For example, the unfortunate communal riots at Moradabad and elsewhere were followed by distressing, indeed diabolical, attempts by the military regime in Islamabad, to exploit the incidents to whip up anti-Indian hysteria not only within Pakistan but throughout the Muslim world. Happily, the strategem failed. Ayatollah Khomeini of Iran in particular told the Pakistanis to get off.

Another source of Indo-Pakistani discords is Pakistan's sense of insecurity vis-a-vis India. This sense of insecurity is mostly psychological and is to be traced to factors wholly within Pakistan. While India is largely concerned with the outside world, Pakistan is obsessed with India. That will continue to be so long as they do not liberate themselves from their fixation with the aliens - such as the Indian Mughal emperors and Hyder and Tipu. Even Israel which is the other state founded on the claims of people following a particular religious faith bases its identity on its native son. No major Muslim nation, Indonesia, Bangladesh, Malaysia, Iran or Turkey, glorifies in its conquerors and

bases its identity on achievements of people outside its territory. The U.S., founded by the British settlers does not talk of its identification with the glories of the British empire but of American heritage.

#### American-Pakistani Strategic Relations

In its quest for removing its sense of insecurity, Pakistan started wooing the United States for a massive military build-up. The search for power parity with India was also an equally important factor. On the part of the United States, a strategic nexus with Pakistan was needed, as it was supposed to serve as a key element in the global chain of anti-Communist alliances. The United States saw itself as the leader of the free world threatened by world communism and sought global allies whose geographical location and political proclivities were suitable for a joint enterprise in defense. The first concrete objective for U.S. policy makers in Pakistan was the establishment of a presence and they did this in Peshawar. Eisenhower, Dulles and Radford were willing to supply military and economic assistance because a defensible Pakistan was wholly consistent with their global policy goals and they hoped that trained Pakistani personnel would be available for use in future contingencies in South-West Asia and the Middle East. In fact, Pakistan's strategic location, on the boundary of both the Soviet Union, and People's Republic of China, greatly

commended itself to the United States for use in its containment policy. Thus on May 19, 1954 was signed U.S.-Pakistan Mutual Defense Agreement and soon followed on September 8, 1954, Pakistan's joining the South East Asia Treaty Organisation, and later the Central Treaty Organisation.

However, difficulties arose early in the relationship. The fundamental dichotomy between the United States and Pakistan was regarding the perceptions of a source of threat and this seemed to be irreconcilable. The absence of concrete Pakistani guarantees to fit into the global strategic framework of the United States and its lack of fulfilment in actuality, contributed significantly to the later disenchantment of the United States with Pakistan.

The inability of the United States and Pakistan to influence each other in the past stemmed from their differences in perceptions of the threat facing the two countries. The situation changed in the late 1970s. With the invasion of Afghanistan by the Soviet Union, Pakistan accepted the reality of a Soviet threat. The United States found renewed interest in Pakistan, as it fell within the framework of the larger commitment to South West Asia which allowed a new range of possibilities even as it also carried certain risks. Since the United States recognised that its task of maintaining a favourable security posture required a degree of cooperation from regional countries with sufficient support capabilities

to enhance the U.S. effort, Pakistan became an useful alley.

### India's Perceptions And Reactions

Military support provided by America to Pakistan has been one of the major obstacles to improve Indo-American relations. It has also been a major snag on the road to rapprochement between India and Pakistan.

The U.S. administration's policy towards the subcontinent has always been based on the concept of power balance through supply of arms - a policy that has been proved to have failed in the context of the subcontinent time and again. In fact, in all the sanguinary conflicts that shook the subcontinent American arms have always been used against India, in spite of American assurances to the contrary. American belief that arms deals with Pakistan contributed to stability in the area has been erroneous. Such beliefs only show a lack of American appreciation of post-colonial nationalism. In the context of the forty years of subcontinental history, it is absolutely natural that the renewed strategic nexus between United States and Pakistan has led to a lot of resentment and concern in India.

India has always urged America that the countries of the subcontinent should be left alone to settle their problems

without outside interference. They should be left alone to follow the Simla process of settling differences bilaterally and peacefully without outside intervention. Large scale arms aid to Pakistan have invariably resulted in tensions and disequilibrium in the subcontinent. Successive military regimes in Pakistan have been encouraged to be intransigent with India because foreign arms have blinded them to the realities of the power balance in the subcontinent which should have prompted them to <sup>seek</sup> accommodation with India. These are facts of history which can never be wished away.

#### Structure of the Dissertation

The first chapter deals with the growth of Bengali nationalism in East Pakistan and Yahya Khan's ruthless repression of the agitation in East Bengal. It traces the U.S. policy during the 1971 Indo-Pakistan war and analyses the hiatus between the White House on the one hand and State Department, AID and the Defense Department on the other. How the role of Pakistan in the emerging U.S.-Pak-China axis weighed heavy in the minds of Nixon and Kissinger during the war has also been analysed. The roots of the Indo-Soviet Friendship Treaty of 1971 are also analysed.

The second chapter deals with the intense diplomatic manoeuvring of Bhutto that eventually led to the lifting of the arms embargo by the United States in 1975. It shows how the lifting of the embargo did not eventually end in opening

the floodgates of arms to Pakistan. India's reactions to the lifting of the arms embargo, Pakistan's signing the reprocessing plant deal with France and the divergent pressures the United States used for the cancellation of this deal are also dealt with.

The third chapter shows how during the first three years of the Carter Administration the question of human rights and non-proliferation kept the American-Pakistani strategic relations in low key. Towards the late 1970s, certain momentous events like the Iranian Revolution and the Soviet Intervention in Afghanistan shook the region. With these events, Pakistan's position was again elevated in the American strategic perceptions. The renewed American-Pakistani strategic nexus and its centrepiece, the \$ 3.2 billion economic and military aid package, and India's perceptions of and reactions to this renewed relationship are analysed.

## Chapter 1

### INDO-PAK WAR OF 1971 AND U.S. POLICY

The 1965 Indo-Pakistani war marked the end of the Johnson Administration's concern for Pakistan. The U.S. arms embargo on both Pakistan and India worked to the disadvantage of Pakistan as the Soviet Union had filled the breach for India. China became the major source of arms supply for Pakistan.

In Pakistan, the internal political quietude of early-Ayub years changed rapidly. This was the result of a concatenation of factors. Inflation galloped. Bhutto's allegation that the Tashkent Agreement was a 'national setback' carried well with the people.<sup>1</sup> And the true colours of the facade of 'basic democracy' that Ayub had assiduously built up soon became conspicuous before the people. The tentacles of the military rule started loosening. After a series of strikes and demonstrations, on 25 March, 1969, Yahya Khan assumed power as army chief and shortly thereafter imposed Martial Law

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1. Bhutto was a chief votary of friendship with China. He alleged that Pakistan's U.S. policy had failed and this failure had been manifested in terms of the U.S. arms embargo that Washington knew would affect Pakistan more than it would India. Bhutto warned that the Pakistani policy of wooing the Soviet Union would also be equally disastrous. China was Pakistan's only real friend. As Bhutto said, "... it is worth emphasising that the policy of close relations with China ... is indispensable to Pakistan; that in dealing with Great Powers one might resist their pressure by all means available, when they offend against the nation's welfare". Zulfikar Ali Bhutto, The Myth of Independence (Lahore, 1969), p. viii.

and declared himself as Martial Law Administrator.

Meanwhile, in November, 1968, Richard Nixon had been elected thirty-seventh President of the United States. Despite the long-standing personal friendship between Ayub and Nixon, the displacement of Ayub by Yahya Khan was not unwelcome in Washington.<sup>2</sup>

The new orientations in the U.S. foreign policy in the Nixon administration created opportunities for closer cooperation between United States and Pakistan, and Pakistan's friendship with China made that country particularly important for President Nixon's moves towards China. During his brief visit to Pakistan in August 1969, Nixon mentioned to Yahya Khan his administration's objective of a rapprochement with China. He asked Yahya to act as a conduit between Washington and Peking and explore the possibilities of normalisation of relations between the two countries. According to G.W. Chowdhury, Yahya carried out this special assignment "with utmost secrecy and conscientiousness".<sup>3</sup> Yahya's nourishing the Soviet option at this time, while pursuing the secret

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2. Shirin Tahir-Kheli, The United States and Pakistan: The Evolution of an Influence Relationship (New York, 1982), p. 31.
  3. G.W. Chowdhury, The Last Days of United Pakistan (London, 1974). Professor Chowdhury was working in the research division of the Foreign Affairs Ministry, as well as in Yahya's planning cell. The facts given in his book are, therefore, largely based on his experience of working with Pakistan's top decision-makers.



and sensitive mission to the PRC on behalf of Nixon, had considerable merit as a diversionary tactic.<sup>4</sup> The abrupt Pakistani order for closing the Peshawar base, on the occasion of the tenth anniversary of the 1959 bilateral agreement, in fact, caused considerable resentment among the U.S. Embassy personnel in Islamabad. But the fact of the matter was that the continued availability of the Peshawar base was of no particular concern to Nixon. Behind the scenes, Yahya continued the pursuit of Nixon's closely guarded secret mission to Peking.

Meanwhile, the political turmoil in East Pakistan loomed large over the horizon. Yahya Khan, at the first instance, rejected all the political demands and later accepted some of them in a piecemeal fashion. His agreement to the demands for a promise of free elections based on the principle of universal franchise and the reconstitution of West Pakistan from 'one unit' into separate provinces, as was the case prior to August 1955, was for him a significant concession. This coupled with the Legal Framework Order (LFO) promulgated by Yahya on March 30, 1970, set the stage for elections

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4. In August, 1969, Pakistan received an offer of \$ 30 million in Soviet military supplies. In June, 1970, Yahya went to Moscow and signed an agreement for a stock mill to be built in Karachi. The Russians agreed to provide an equivalent of about \$ 500 million in credits for the purpose. Yahya also informed Soviet leaders of "unsolved controversial issues" between India and Pakistan. The U.S.S.R. favoured their solution through "bilateral negotiations in the spirit of the Tashkent Declaration". Facts on File, vol. 30, no. 1549 (New York, 2 July 1970), p. 489.

promised for October, 1970.<sup>5</sup> All these measures left no doubt that the Eastern wing would produce the next Prime Minister of Pakistan. After the postponement of elections as a sequel to the disastrous cyclone in East Pakistan in November, 1970<sup>6</sup>, they were finally held on 7 December, 1970. The Awami League emerged as the largest single party.<sup>7</sup> But the Yahya Government refused to respect the results of the elections. To curb the brewing revolt in East Pakistan, Yahya took a step which was really inhuman and despicable. He ordered the military to move against civilians in East Pakistan. Once the clamp down in East Pakistan appeared to be an established and irreversible policy, Nixon and his national security adviser, Henry Kissinger tailored their reactions towards a set of central objectives : to buy more time, to reduce the accompanying damage, and to guard against any possible derailment of the secret overtures to Pakistan.

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5. The order provided for a federal structure of Pakistan with maximum provincial autonomy, established election rules for the National Assembly, set the political stage for popular participation and called formally for ending the disparity between the two wings of Pakistan. For details, see Bangladesh: Documents, Vol. 1 (Ministry of External Affairs, India, 1971), pp. 49-65.
  6. This step was interpreted differently by different people. Bhutto accused Yahya of having postponed the elections at the behest of Moscow and Washington. See Searchlight (Patna), 28 September 1970. Zahoor Baksh held that the postponement had a political purpose - that of preventing Sheikh Mujibur Rehman from acquiring a thumping majority in the Eastern Wing. See Zahoor Baksh, "Pakistan Elections: After the Postponement", Amrita Bazar Patrika (Calcutta), 30 September 1970.
  7. For details, see Sharifal Mujahid, "Pakistan's First General Elections", Asian Survey (Berkeley, Calif.), vol. 11, no. 2, February 1971, p. 169.

They decided that the events in Pakistan were proceeding as a result of the internal dynamics of Pakistani politics. Even though the U.S. did not openly condemn the brutal operations of the Pakistani army in the Eastern wing, the absence of a public support to Pakistan by the U.S. government angered the Chinese. The testimony to the random slaughter of men, women and children, students, artists, and intellectuals in East Pakistan was amply borne out by the world press which played a major role during this time in creating worldwide public sympathy for Bangladesh.<sup>8</sup> Even though the U.S. government stayed aloof from what it described as an internal affair of Pakistan, the attitude of the U.S. press and the people as well as many Congress members was one of deep concern and sympathy. Even the U.S. Ambassador in India, Kenneth Keating, while commenting on the tragic events in East Bengal, at a Press Conference in Bombay, objected to the U.S. government's use of the term "internal affair".<sup>9</sup> Unaware of the Nixon-Kissinger secret relationship with Yahya, U.S. Consul-General Arthur Blood in Dacca and many other foreign policy bureaucrats in the State Department advocated tough measures against Pakistan. The American Consul-General in Dacca prepared

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8. A compilation of the eye-witness accounts from the Press can be found in Fazulul Quader Quaderi, ed., Banqladesh Genocide and World Press (Dacca, 1972).

9. See National Herald (New Delhi), 20 April 1971.

and submitted a detailed report to the U.S. Senate describing the systematic killings of the Bengali civilians. The report predicted East Pakistan's independence as "inevitable" and urged a public American stand against Pakistani repression.<sup>10</sup> The U.S. Ambassador in India, reported to Washington that he was "deeply shocked at the massacre" and was "greatly concerned at the United States' vulnerability to damaging association with the reign of military terror".<sup>11</sup> All these officials recommended measures like prompt public condemnation of Yahya, stoppage of all economic assistance including that which was then in the 'pipeline' and the cut off of whatever little military assistance programme still remained in effect.

There was strong pressure from the members of the opposition Democratic Party in the U.S. Senate. In particular, Senator Edward Kennedy soundly condemned Pakistani actions and Nixon's reactions and called upon the President to reject Pakistani policy totally. He said: "it is our military hardware, our guns, tanks and air crafts which are contributing to the suffering (of the people there), and this is being done in violation of negotiated agreements on

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10. The report said, "Bengali independence will be inimical to American interests only if by following short-sighted policies we drive East Pakistan into the arms of another power - the U.S.S.R. or China. To the extent that Bengali independence is delayed by means of American arms, the image of the United States will suffer ...". See Quaderi, ed., n. 8, p. 23.
11. Henry Kissinger, The White House Years (London, 1979), p. 853.

use of American military aid".<sup>12</sup> Eminent scholars like Norman D. Palmer also condemned the U.S. diplomacy for its failure to speak out officially against the brutalities of Pakistani troops in East Pakistan".<sup>13</sup>

There was a deep-rooted cleavage between the White House and the State and the Defense Departments and this has been recorded by Henry Kissinger, "on no other problem was there such flagrant disregard of unambiguous presidential directives".<sup>14</sup> On the 7th of April, the State Department ended its silence over the East Pakistan situation and asked the Pakistan government "to take every feasible step to end conflict in East Pakistan and achieve a peaceful accommodation".<sup>15</sup> Kissinger admits that "the State Department moved on its own to preempt the decisions. Ignorant of the China initiative, in early April - without clearance with the White House - the Department moved towards a new embargo on Pakistan. It suspended issuance of new licences for the sale of munitions and renewal of expired licenses; it put a hold on the delivery of items from the Defense Department stocks and held in abeyance the one time package

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12. The Statesman (New Delhi), 9 April, 1971.

13. Norman D. Palmer, "The United States and the New Order in Asia", Current History (Philadelphia), vol. 63, no. 325, November 1972, p. 194.

14. Kissinger, n. 11, p. 864.

15. Department of State Bulletin (Washington), 26 April 1971, p. 554.

of 1970. Some \$ 35 million in arms to Pakistan was cut off, leaving some \$ 5 million trickling through the pipeline".<sup>16</sup> The U.S. Congress also differed with the Administration and stood for tougher measures against Pakistan. On 15 July, 1971, the Foreign Affairs Committee of the House of Representatives, eliminated by 17 votes to 6 the Administration's request of \$ 118 million in economic and military aid to Pakistan for fiscal year 1971-72. Both the Senate and the House of Representatives passed resolutions calling for an end to all U.S. economic and military aid to Pakistan, an act which the House amended only to permit food and medical assistance to continue. While Nixon and Kissinger gave a half-hearted approval to all these plans, Nixon incessantly ordered : "to all hands. Don't squeeze Yahya at this time".<sup>17</sup> Thus even after the administrative moratorium on arms shipments, the U.S. offered military equipments worth about \$ 9 million to Pakistan. However, while the State Department spokesman, Charles Brag, clarified that these shipments could not be shipped until U.S. policy against sending arms to Pakistan was revised, he simultaneously admitted that he was unable to provide a rationale for the U.S. Defense Department's continued conversations with the Pakistani military procurement office in Washington even after a policy

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16. Kissinger, n. 11, p. 862.

17. Kissinger, n. 11, p. 856.

decision to embargo arms shipments to Pakistan had already been reached.

Being constrained by the Congressional displeasure, Nixon felt his best recourse was to press Yahya to take a number of steps that cumulatively could still defuse the crisis. These steps were, first, to internationalise the crisis by making the relief effort multilateral, second, to replace the military governor of East Pakistan by a civilian, third, to grant general amnesty to all persons not accused of specific criminal acts.

The most momentous reaction of India to the formation of U.S.-Pak-China axis across the border was the conclusion of the Indo-Soviet Friendship Treaty of 1971. Even though Yahya took up his mission to China on behalf of Nixon and Kissinger with extreme seriousness, his alcoholism and sexual intemperance<sup>18</sup> militated against his ability to guard the secrets. Thus besides Nixon, Kissinger, Yahya and the Chinese leadership, others in Pakistan also became aware of the Nixon initiative on China. In due course, the Soviet intelligence network may also have been aware of this. This is the possible explanation of Soviet change of course of its earlier overtures of positive military economic relationship towards Pakistan.<sup>19</sup> But at the

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18. Yahya's heavy dependence on General Pirzada, who was also his closest adviser is well-known.

19. In August 1969, Pakistan had received an offer of \$ 30 million in Soviet military supplies in the aftermath of the Pakistani order for closing the Peshawar base, on the occasion of the tenth anniversary of the 1959 bilateral agreement.

general level, the 1971 treaty should be treated as the culmination of friendly relations between India and the Soviet Union during the period 1947 to 1970.<sup>20</sup> Through their continuous contacts at various levels over the years they had come to realise that they were not only animated by a common dedication to the cause of peace, but also had a common interest in safeguarding the peace and stability, particularly in South Asia. The bellicosity of China and the growing signs of understanding between her and the United States served as the catalyst for the crystallization of the 1971 treaty.<sup>21</sup> At the signing ceremony of the treaty Gromyko remarked, "there are momentous events in relations between States which come as fruits of dozens of years prepared by the previous development of these relations. The treaty of Peace, Friendship and Cooperation which has just been signed is one such most important landmark for the Soviet Union and India".<sup>22</sup> Speaking in the Lok Sabha on the same day, Swaran Singh described it as a "treaty of peace against war" and observed: "the treaty will, we are convinced, be providing a stabilising factor in favour of

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20. See K.P.S. Menon, The Indo-Soviet Treaty: Setting and Meanings (Delhi, 1971), pp. 49-52.

21. See Appendix for the full text of the treaty.

22. For the full text of A.A. Gromyko's speech at the signing ceremony, see N.M. Ghatate, ed., Indo-Soviet Treaty: Reactions and Reflections (New Delhi, 1972), pp. 18-19.





peace, security and development not only of our two countries, but the region as a whole".<sup>23</sup>

It has been suggested that had the United States and China not moved closer to each other in 1971 'clearly against the Soviet Union', and that had the United States not reported its inability<sup>24</sup> to support India in the event of Chinese intervention on the Pakistani side in an Indo-Pak war over Bangladesh, "the Indo-Soviet treaty would either not have materialised at the time it did, or not been followed in all its logical implications".<sup>25</sup>

On 3rd December, 1971, war broke out between India and Pakistan. India not only gave formal recognition to Bangladesh, but also concluded a treaty with the Bangladesh government for joint military operations.

The U.S. Government placed the blame entirely upon India for starting the war. A State Department official categorically stated that "India should bear the major

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23. For the full text of Swaran Singh's speech, see *Ibid.*, pp. 17-18.
24. Henry Kissinger, returning after his first visit to Peking, reportedly invited Indian Ambassador, L.K. Jha to Los Angeles and informed him that if India and Pakistan went to war over the Bangladesh issue and China intervened on the side of Pakistan, India should not expect the United States to come to her help. See S.P. Verma, "Bangladesh and Role of Major Powers", in S.P. Verma and Virendra Narain, eds., Pakistan Political System in Crisis: Emergence of Bangladesh (Jaipur, 1972), p. 227.
25. *Ibid.*, pp. 229-30.

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responsibility for the broader hostilities that have ensued".<sup>26</sup> On 2 December, Yahya Khan, in a letter to President Nixon, formally raised American obligation by invoking Article I of the 1969 bilateral U.S.-Pakistan agreement.<sup>27</sup> Nixon took an entirely pro-Pakistan posture and pressurised others to tilt towards Pakistan, as unveiled in Kissinger's statements in the Washington Special Action Group Meetings held on 2, 4 and 6 December, contained in the Jack Anderson papers.<sup>28</sup>

Let us switch over to an analysis of the U.S. attitude towards the war against the background of the U.N. debates.<sup>29</sup> In the emergency session of the Security Council held on 4 December, 1971, the United States submitted a resolution calling for an immediate cessation of hostilities and withdrawal of troops.<sup>30</sup> The Soviet repre-

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26. The Statesman (New Delhi), 6 December 1971.
27. Article I read, "In case of aggression against Pakistan, the Government of U.S.A. will take such appropriate action, including the use of armed forces as may be mutually agreed upon ...." cited from Kissinger, n. 11, p. 894.
28. The minutes of the WSAG meeting are included in Vinod Gupta, Anderson Papers: A Study of Nixon's Blackmail of India (Delhi, 1972).
29. For a detailed analysis of the role of different powers in the UN Debates, see K.P. Mishra, The Role of United Nations in the Indo-Pakistan Conflict, 1971 (New Delhi, 1973).
30. For the text of the resolution, see SCOR, mtg. 1606, New York, 1 December 1971, pp. 8-10.

representative, Jacob Malik, vetoed this resolution on the ground that the problem of East Pakistan should be solved first. On 7th December, the General Assembly adopted a resolution in favour of immediate ceasefire and troops withdrawal. While Pakistan accepted this recommendation, India and Bhutan, along with nine communist countries, opposed it. On 12th December, the Security Council met again on American request and the U.S. representative, George Bush, moved a draft resolution in which Pakistan's acceptance of the General Assembly resolution and India's rejection were noted and India was called upon to accept ceasefire immediately in compliance with the General Assembly resolution.<sup>31</sup> The U.S. Resolution was again vetoed by the Soviet Union on 13th December.

On December 10th 1971, the United States deployed a task force headed by the aircraft carrier Enterprise, and including an amphibious assault ship with a battalion of 800 marines, three guided missile escorts, four destroyers, a nuclear attack submarine, and an oiler, which entered the Bay of Bengal and remained there until January, 1972.<sup>32</sup> The Enterprise was sent with the ostensible purpose of preventing any Indian move into West Pakistan. It was also

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31. For the text of the speech by George Bush, see SCOR mtg. 1011, New York, 12 December 1971, pp. 2-4.

32. United Nation's Report of the Consultant Experts on the Indian Ocean, A/AC. 159/1, 3 May 1974, para 17.

believed that the task force was sent more as a warning to the Soviet Union than as an assistance to Pakistan, because the Americans, during this time, feared the possibility of Soviet naval expansion in the Indian ocean.<sup>33</sup> Whatever may have been its ostensible purpose, it is a fact that the threat posed by it was successfully countered by the presence of a Soviet fleet in the area.<sup>34</sup> The list of Soviet ships dispatched from Vladivostik on 7th December 1971 towards the Bay of Bengal comprised of two combat ships, a cruiser missiles (SSM) and an anti-ship missile armed submarine, to join the nine sweeper and two destroyers already in the Indian Ocean on 5th December. The unflinching devotion of the Indian armed forces and the united will of the Indian people saw the country through the crisis. While the HSS Enterprise was continuing to proceed towards Bangladesh, the Indian and Bangladeshi armed forces closed in on Dacca from all sides and the Pakistani forces surrendered to them on December 16. After the surrender of the Pakistani troops in the Eastern sector, Prime Minister of India Indira Gandhi ordered a unilateral ceasefire on the Western front.<sup>35</sup> The gesture was welcomed by Pakistan.

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33. U.S. strategic interests in the Indian Ocean area have been spelt out in U.S. National Security Policy and the Indian Ocean, Department of State Publication 8611, General Foreign Policy Series 258, November 1971.

34. See David Hall in Barry M. Blechman and Stephen S. Kaplar, Force Without War: U.S. Armed Forces as a Political Instrument (Washington D.C., 1978), p. 201.

35. That the Enterprise did not have a big role in bringing about ceasefire in the Western front has been beautifully argued out in *ibid.* p. 178.

With American's tilt towards Pakistan during the 1971 war, Indo-U.S. relations turned suddenly antagonistic. The U.S. bid to rescue the Pakistani military junta by bringing a resolution before the United Nations Security Council seeking an immediate ceasefire was noted with 'shock' and 'surprise' at New Delhi.<sup>36</sup>

The Foreign Secretary T.N. Kaul said that any threat or pressure from any quarters was not going to have any effect on the policies and plans of the Government. Kaul heartily welcomed the Soviet resolution urging the Big Powers to keep their 'hands off'<sup>37</sup> the Hindustan peninsula. He accused the United States of placing the cart before the horse in advocating a ceasefire and troop withdrawal without first tackling the root cause of the crisis. He said India was in full agreement with the Soviet Union that the Bangladesh problem was at the bottom of the present conflict.

The U.S. Ambassador Kenneth Keating was officially informed by Kaul on December 6, that India had recognised the Democratic Republic of Bangladesh. Simultaneously, Kaul also asked the Ambassador to convey to his Government India's displeasure, surprise and shock at the U.S. Government's attitude within the U.N. Security Council and outside.

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36. Asian Recorder and Digest (New Delhi), vol. 18, no. 1, January 1972, p. 16.

37. Ibid.

The All-India Peace Council and the Indian Association for Afro-Asian Solidarity on December 13, expressed "great indignation" at new threats and pressures being exerted on the Indian Government and people by the American President and his government.

Massive demonstrations were held almost in all the major cities and towns to protest against the anti-India policy adopted by the Nixon administration in the India-Pakistan conflict. A large number of M.Ps belonging to different parties participated in the half a dozen demonstrations staged outside the American Embassy in New Delhi on December 15 to denounce the reported movement of the U.S. Seventh Fleet into the Bay of Bengal and President Nixon's support to Pakistan in the conflict in the subcontinent. They shouted slogans like "Go back Seventh Fleet", "We are not afraid of the Seventh Fleet" and "Down with American Imperialism". The Indian Ambassador to the United States, L.K. Jha, on December 14, said that any evacuation of the Pakistani forces from East Bengal would be considered a hostile act. Jha told a news conference that he had received reliable reports that a U.S. task force which left Vietnam on Friday might try to evacuate Pakistani troops and civilians from Bangladesh as well as the few Americans in the area. He pointed out that India did not object to the use of foreign planes for the evacuation of foreigners from Dacca. But any evacuation of Pakistani troops from Bangladesh to

reinforce Pakistani forces on the Western frontier would be a hostile act. He accused the United States of 'gunboat diplomacy' saying 'there is a lack of balance perspective and a lack of proportion in sending the fleet'. Any attempt to establish a beach head, Jha said, would be a "military action" and make a difficult situation even more dangerous".<sup>38</sup>

Thus during the 1971 Indo-Pakistani war, the prime concern of Nixon and Kissinger had been the secret strategic nexus with China that was slowly developing and the role of Pakistan in this evolving relationship. Thus having created a stake in Yahya's survival, Nixon and Kissinger could not push too far towards the settlement of the dispute with Mujib's Awami League in East Pakistan. Nor could they publicly condemn the Yahya regime for the brutal suppression in East Pakistan. This is where the policy was divided between the White House and the bureaucracy. The most momentous reaction of India to the formation of U.S.-Pak-China axis across the border was the conclusion of the Indo-Soviet Friendship Treaty of 1971.

The dispatch by Nixon of Task Force 74 to the Bay of Bengal and its presence in the area until the crisis had passed were perceived by Yahya, Bhutto and civil and military leaders as being a signal to India not to attack West

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38. Ibid., p. 17.

Pakistan. However, India did not have any designs in West Pakistan and declared unilateral ceasefire as soon as the Pakistani forces in East Pakistan surrendered. On the other hand the U.S. decision led to a lot of displeasure and concern. In fact, the whole of India was shocked and flabbergasted at the U.S. decision.



## Chapter 2

### THE BHUTTO ERA AND AMERICAN-PAKISTANI STRATEGIC RELATIONS

After the Indo-Pakistan war of 1971, the future of Pakistan rested solely in the hands of Zulfikar Ali Bhutto. Early in his career, Bhutto had voiced disenchantment with Pakistan's near-total reliance on the United States. In keeping with the foreign policy objectives laid down by Mohammed Ali Jinnah and Liaquat Ali Khan, Bhutto had sought to refashion Pakistan's foreign policy in the contextual reality of global power politics.<sup>1</sup> He had always publicised a view which veered away from the orthodoxy of the middle and late 1950s - the orthodoxy that characterised Pakistan as the sole Asian country which the United States could truly depend upon, given the latter's interest in the containment of international communism. He had repeatedly

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1. Jinnah stated, "Our foreign policy is one of friendliness and goodwill towards all the nations of the world. We do not cherish aggressive designs against any country or nation. We believe in the principles of honesty and fair play in national and international dealings and are prepared to make our utmost contribution to the promotion of peace and prosperity among the nations of the world". Quoted in Mustaq Ahmed, Pakistan's Foreign Policy (Karachi, 1968), p. 143. Similarly, Liaquat Ali Khan had explained, "The underlying idea of the movement for the achievement of Pakistan was not to add one more country to the conglomeration of the countries in the world. Pakistan came into being as a result of the urge felt by the Muslims, of this subcontinent to rescue a territory, however limited, where the Islamic way of life could be practised and demonstrated to the world. A cordial (sic) feature of this ideology is to make Muslim brotherhood a living reality". Quoted in Latif Ahmed Sherwani, et. al., Foreign Policy of Pakistan: An Analysis (Karachi, 1964), p. 13.

attacked such imbalanced foreign policy. A major thrust of his argument was that perceptions of international politics and diplomacy should not be guided by prejudice or bias, which tend to harm national interests. Pakistan, he argued, should cease posing as an irritant to China and the Soviet Union. By supporting American fears of international communism, Pakistan was only augmenting the numbers of enemies at its threshold, without supporting its defenses against India.<sup>2</sup> Moreover, so long as Pakistan was wedded to the United States, it was handicapped in its relations with other Muslim countries.

As international situation changed, Bhutto assumed power over a truncated Pakistan in December, 1971. During the war Bhutto came to understand the chicanery of 'Super Power diplomacy'. The world had entered into an era of detente. There was some hope that war as an instrument of resolution of conflicts, would not be relied upon as a decisive alternative. Bhutto saw no purpose being served by an outright anti-American stance.

Thus there was a fundamental change in Bhutto's views of the value of the U.S. connection between 1969 and 1972. In 1969, when he was out of power, he had argued the futility of relying on the U.S. for support, because Washington always

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2. Herbert Feldman, From Crisis to Crisis: Pakistan 1962-1969 (London, 1972), p. 314.

hoped for a change in Indian policy and was loath to annoy Indian leaders.<sup>3</sup> and during the election campaign in 1970, he had stressed the fact that Pakistan would withdraw from Western alliances. The election manifesto of the Pakistan People's Party had also advocated such withdrawal.<sup>4</sup> But the very fact that Bhutto met Nixon in December after being called upon to take power portended the change of things to come. In 1972 Bhutto recognised the role played by the United States in saving West Pakistan in the 1971 war.<sup>5</sup>

From Washington's point of view, the year 1972 augured well for American-Pakistani relations. The incipient Sino-American rapprochement ensured continuing recognition of Pakistan's role in fructifying it. Kissinger was much

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3. Zulfikar Ali Bhutto, The Myth of Independence (Lahore, 1969), p. 43.
  4. Pakistan Times (Lahore), 5 November 1970.
  5. On February 10, 1972, Bhutto told the New York Times columnist C.L. Sulzberger, "I think that the world and my own people should know the U.S.A., in the interest of peace and civilised conduct among States, did put its foot down. If there had been no U.S. intervention, India should have moved hard against Pakistan's occupied Kashmir and also the Southern front in Sind". Asian Recorder (New Delhi), 18 March 1972. However, some authors are of the opinion that there was a general reaction in West Pakistan that during the war Washington had not backed its martial alliance more forcefully. See, for example, Stanley Wolpert, Roots of Confrontation in South Asia: Afghanistan, Pakistan, India and the Super Powers (London, 1982), p. 155.

impressed by Bhutto and recognised him as having been the 'architect of Pakistan's friendship with China', a policy that was much valued by Washington in 1972.<sup>6</sup>

After Bhutto's coming to power, it was apparent that his policy towards alliances had undergone a fundamental change. The shift in Pakistan's attitude towards CENTO became apparent when for the first time in seven years Islamabad nominated a Cabinet Minister and close confidant of President Bhutto, Abdul Nazir Pirzada, to lead Pakistan's delegation to the meeting of the CENTO Ministerial Council in London on June 1, and 2, 1972. Since 1962, Pakistan had been nominating its ambassador in the host country to represent it at CENTO Ministerial Council meetings. At a Press Conference on 28 May 1972, on the eve of his departure for London, Pirzada stated that CENTO had become "relevant to us again".<sup>7</sup> It is important to note that the CENTO meeting of June, 1972 was mainly concerned with the steady increase of Soviet influence in West Asia, the Indian Ocean and the Gulf, particularly after the Soviet Defence Treaty with Iraq.<sup>8</sup> On 14 July, 1972, Bhutto justified in the National Assembly, Pakistan's links with CENTO by referring to the

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6. Henry Kissinger, The White House Years (London, 1979), p. 907.

7. Quoted in Mohammed Ayoob, India, Pakistan and Bangladesh: Search for a New Relationship (ICWA, New Delhi, 1975).

8. The Times (London), 2 June 1972.

Indo-Soviet Treaty, a fact to which Pakistan "could not close its eyes".<sup>9</sup> He also asserted that the separation of East Pakistan had substantially changed the geo-political perceptions of Pakistan towards South and South West Asia.<sup>10</sup> The day after of defending Pakistan's membership of CENTO in the National Assembly, Bhutto declared in the same forum that he had decided to take Pakistan out of SEATO.<sup>11</sup> Pakistan, after all, had not been particularly active in SEATO since 1965 and with the loss of Bangladesh, the geographical rationale of Pakistan's membership was no longer valid.

Bhutto's avowed interest in strengthening the alliances and his reactivation of Pakistan's role in CENTO after years of hibernation, did not evoke positive response in Washington. However, it was absolutely essential, as Bhutto knew, to have U.S. support on two accounts : support for Pakistan to shore it up through appropriate economic and diplomatic moves, and renewal of U.S. arms sales. So in order to inveigle the U.S. President into lifting the arms embargo, Bhutto went a step further and offered the United States a naval base at Gwadar on the Baluchistan coast. He felt that the base facility at this natural port would be greatly

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9. Indian Express (New Delhi), 15 July 1972; Also see, The Statesman (New Delhi), 12 November 1972.

10. Asian Recorder, 2 December 1972.

11. The Times, 17 July 1972.

advantageous to U.S. policy because of its close proximity to the Gulf and at the same time would enhance Pakistani security, since the lesson of the Enterprise was still vivid in the memory of everybody. However, officials in the State Department were quite suspicious of Pakistan's motives. They felt that Bhutto's real purpose was to use the U.S. commitment, technology and know-how to develop the port into a full-fledged naval facility at a cost they estimated to be in the region of \$ 2.5 billion. Once this was accomplished, Bhutto, they argued, would throw the U.S. out in favour of the next "highest bidder".<sup>12</sup>

In fact, the crux of the problem was that after the 1971 crisis, Pentagon had started maintaining a low profile in South Asia. This gradual disengagement from the sub-continent was a resultant of divergent factors, such as the Americans' growing opposition to their country's active involvement in future Asian conflicts and the Congress members' particularly the pro-Indian lobby's, increasing criticism of Nixon's pro-Pakistan stand during the 1971 crisis. What particularly affected Washington's stance towards Pakistan was the changed pattern of its relations with Moscow and Peking from confrontation to competition for influence in strategic areas. With the growing detente

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12. Shirin Tahir-Kheli, The United States and Pakistan: The Evolution of an Influence Relationship (New York, 1982), p. 56.

the policy of containment had lost much of its rationale.

The emerging Soviet naval build-up in the Indian Ocean following the British withdrawal from the Gulf and the energy crisis ensuing from the 1973 Arab-Israeli war had further diverted the U.S. interest from the Indian subcontinent to the Gulf. Under Washington's new policy priorities and changed objectives - security of the energy supplies being the prime concern - a distinct shift to the Gulf was visible from its massive arms sales to Iran and other Gulf countries. With its growing military build-up, oil resources and pro-West policy, Iran had become a bastion of American economic and strategic interests in the region. Iran was expected to play the role of a regional policeman safeguarding vital American interests. A Nixon Doctrine ideal<sup>13</sup>, Iran was deemed capable to "defend both, itself and parallel American interests in a vitally strategic area".<sup>14</sup>

Bhutto started developing an Islamic link to press the Pakistani case in Washington. And as fortune would have it, very soon the quadrupling of the oil revenues enormously altered the economic and political clout wielded by some of these West Asian countries.

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13. For a succinct exposition of the Mediterranean version of Nixon's Southern strategy doctrine, see Iqbal Ahmed, "Pakistan's Role in the New U.S. Strategy, Pt. 2", Frontier, vol. 6, no. 21, September 1, 1973, pp. 4-7.

14. Editorial, The New York Times, cited in Shrin Tahir Kheli, "The Foreign Policy of New Pakistan", Orbis (Philadelphia), Fall 1976, p. 755.

With the exception of Afghanistan and Iraq, Bhutto persisted with seeking 'special' relations with the countries of West Asia. Pakistan's 1973 Constitution contained a provision (Article 40) to preserve and strengthen fraternal relations among Muslim countries based on Islamic unity and brotherhood. Soon after assumption of power, Bhutto singled out the Muslim bloc of nations as having demonstrated close friendship towards Pakistan. Bhutto's enunciation of Pan-Islamic fraternity meant "imperishable affinities born of culture, religion and historical experience" which bind Pakistan to other Muslim nations and underline their community of interests.<sup>15</sup> Bhutto strongly pleaded for revitalising the organisation called 'Regional Co-operation for Development' (RCD).<sup>16</sup> He insisted that the RCD should be responsive towards the multifarious challenges faced by the member countries. In pursuance of the Pan-Islamic solidarity, Bhutto held international conferences in Pakistan. At the Lahore Islamic Summit Conference (February 1974), Bhutto stated that Pakistan's strength was the strength of the whole Muslim world and the armies and soldiers of Pakistan were the armies and soldiers of Islam. He warned that if Pakistan was further dismembered, could Gulf stability remain intact? Pakistan's solidarity ensured the solidarity of the entire

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15. See Z.A. Bhutto, Speeches and Statements, Pt. 1-4 (Karachi, 1972).

16. The RCD was formed in 1964 for three countries - Pakistan, Iran and Turkey - as a mutual assistance arrangement.



West Asian region. The concept of the 'unity of the Muslim world' implied solidarity, stability and survival of Pakistan, especially to safeguard Pakistan from the "threat coming from any side, Christian, non-Christian, Communist and non-Communist".<sup>17</sup>

Bhutto was successful in his pursuit of a role in the Islamic movement for a variety of reasons. First, he was already reputed for his pro-Islamic sentiments. This was more a consequence of his pre-1972 anti-Indian and anti-Hindu statements than his projection of pro-Arab and Pan-Islamic views. Second, Bhutto had been able to bring his earlier experience with Pakistan's 'bilateral trilateralism', namely, good relations bilaterally with each of the three super powers, to bear on cultivation of friendly ties with three important Muslim countries, Saudi Arabia, Iran and Libya. As he paid homage to Saudi Arabia for being the centre of the Islamic world, and King Faisal as the keeper of the Faith, he cultivated the Shah of Iran as an enlightened monarch and an old friend of Pakistan, and Colonel Quadaffi as a special person whose unannounced arrivals were always welcomed with a great deal of pomp and ceremony.

Third, Bhutto championed the cause of the Third World and challenged the industrialised countries which had "bled"

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17. See, News Review on South Asia (IDSA, New Delhi), March, 1974.

these nations as their erstwhile colonies. Bhutto had firmly criticised the common tendency among developing countries to rely on developed nations. In the Myth of Independence Bhutto observed:

The question before the smaller nations of today is how they should conduct their affairs in such a manner as to safeguard their basic interests; to retain their territorial integrity and to continue to exercise independence in their relationship with the Global Powers as well as with the smaller nations. The relationship between the Global Powers and the smaller countries is on an unequal footing, whereby the former can exact a multitude of concessions without responding in sufficient, let alone equal, measure. No small nation can possibly bring a Global Power under its influence on the plea of justice or because of the righteousness of its cause. In the ultimate analysis, it is not the virtue of the cause that becomes the determining factor, but the cold self-interest of the Global Powers which shapes their policy, and this self interest has better chances of prevailing in an endless and unequal confrontation between a Global Power and smaller nations. Should the smaller nations, therefore, obediently follow the dictates of Global Powers and exchange their independence for material gains and promises of economic propriety? The answer is an emphatic 'No' ... The force of freedom must triumph, because it is stronger than any other force for which man will lay down his life. It is still possible for smaller nations, with adroit handling of their affairs, to maintain their independence and retain flexibility of action in their relationship with Global Powers. (18)

Bhutto identified the oil-producing Muslim countries with the rest of the Third World. While the Shah of Iran led the fight for raising oil prices that enriched OPEC,

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18. Bhutto, n. 15, pp. 12-13.

and King Faisal used the oil weapon to influence U.S. policy towards Israel, Bhutto spoke of widening the struggle to encompass all issues in the North-South relations:

With the terms of trade of the oil-producing countries, which will lead to a rapid increase in their financial resources, an unprecedented shift will occur in the global monetary and financial balance of power. The Third World can now participate in Councils of the world on an equal footing with the developed countries and will be able to acquire a due measure of influence and control in international financial and economic institutions. (19)

Bhutto felt that the oil-rich Muslim countries could infuse life into faltering economies and in the process also help themselves:

The concept implicit in this approach is not that of aid as a form of charity from one developing country to another. The concept is that of mutually supportive economic activity in countries of the Third World which would complement their individual resources and give them collective strength. (20)

Thus because of historical and religious reasons and Bhutto's clever diplomatic manoeuvring Pakistan began enjoying much leverage with the Gulf Sheikhdoms. Apart from this, Pakistan is located as the gateway to the Gulf from the east and commands the northern Arabian sea. Henry Kissinger appreciated that Pakistan was strategically

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19. Zulfikar Ali Bhutto, The Third World: New Directions (London, 1977), p. 85.

20. *Ibid.*, p. 86.

located to supplement Iran as an American client. Since the major thrust of the American policy in the Gulf was to control the oil wells for the West and to exclude any possible subversive Soviet influence from the area, Iran and Pakistan seemed to be the best regional instruments it could use. And because of Bhutto's leverage with the Gulf Sheikhdoms, Pakistan was in a much better position than Iran to win the confidence of these countries and make them part of the overall American strategy in South-West Asia. Thus the Pakistani stance towards CENTO suited the Americans very well. Pakistan's withdrawal from SEATO was taken by Washington on its stride. With the thaw in Sino-American relations, SEATO was proving to be more of a liability than an asset.

In the aftermath of the 1971 war, the broad features of the U.S. policy towards South Asia were -

1. The United States supported normalisation of India-Pakistan relations, because "encouragement of turmoil" would invite the involvement of outside powers.<sup>21</sup> Accordingly, it hailed the Simla Agreement<sup>22</sup>, the Indo-Pakistan-Bangladesh agreement

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21. Quoted in Mehruunnisa Ali, "Pakistan-United States Relations: The Recent Phase", Pakistan Horizon, (Karachi), vol. 31, no. 2, p. 35.

22. For the text of Simla Agreement see Asian Recorder, 15 July 1972.

on the release of the 195 Pakistani Prisoners of Wars (POWs)<sup>23</sup> and the restoration of diplomatic relations between India and Pakistan.

2. Recognising India's new stature as a major power in the region, the United States wanted to "join" India in a mature relationship founded on equality, reciprocity and mutual interest.<sup>24</sup>
3. It sought to maintain the status-quo in the region. As such it avoided resuming arms supplies to India and Pakistan. The Peaceful Nuclear Explosion at Pokharan in 1974 was used by the United States to claim that the equilibrium in the region had been disturbed.

As we have seen, Washington lent support to the efforts for India-Pakistan reconciliation for their forces' pull-out to their own sides of the border and for the early release of the Pakistani POWs. This was underscored in the Sino-American Communique issued on the conclusion of Nixon's visit to China in February, 1972. The Communique called for "the withdrawal of all military forces to within their own territories and to within their own sides of the ceasefire line in Jammu and Kashmir". Particularly viewed

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23. India had repatriated the rest of 90,000 Pakistani POWs except 195 because of Bangladesh's intention to try them for alleged war crimes. See, The Times of India (New Delhi), 29 August 1973.
  24. Richard Nixon, Annual Foreign Policy Report to the Congress, 9 February 1972.

with concern was the protracted detention of Pakistani POWs in Indian camps. Because of its own "experience in Vietnam", said Nixon, the United States had a natural sympathy for Pakistan's desire for the return of the POWs and civilian detainees." The stand was reaffirmed on subsequent occasions by various U.S. dignitaries while visiting Pakistan or playing host to Pakistani officials.

The lifting of the arms embargo was not in the offing, despite repeated pleas by Pakistan. Several reasons were advanced in U.S. Congressional circles for action against arms sales to the subcontinent. First, there was unhappiness with the use of U.S. arms by Pakistan against India - arms that were ostensibly given for use against communist countries. Secondly, the embargo suggested itself as an even handed policy towards both India and Pakistan. Thirdly, the embargo was an outgrowth of growing exacerbation with the entire U.S. arms exports policy. Congress was becoming gravely aware of the U.S. role as the "arms merchant of the world", which it saw as contributing to the instability of friendly purchasing countries.

On March 14, 1973, Washington eased the embargo on supply of arms to the subcontinent, opening the way for the shipment to Pakistan of armoured personnel carriers (APCs), spare parts, parachutes and aircraft engines.<sup>25</sup> According

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25. The reorientation of Pakistan's policy reflective from its recognition of North Vietnam, North Korea and withdrawal from SEATO in quick succession might have had a bearing on the Nixon Administration's decision.

to a U.S. State Department spokesman who announced the lifting of the arms embargo, the decision was expected to permit Pakistan to take possession of 300 armoured personnel carriers valued at \$ 13 million. In addition, Pakistan was allowed to import spare parts worth \$ 1.1 million, parachutes and air conditioned aircraft engines whose export had been blocked. In the same statement, the State Department spokesman said that the move was not expected to alter the ratio of military strength in the subcontinent. This tied in with the testimony of Joseph Sisco, the Assistant Secretary of State, before the House Foreign Affairs Committee, that India had already received from the U.S.S.R. military equipment worth more than \$ 1 billion. Both Sisco and Charles Bray, the State Department statesman added that the United States was not interested in getting involved in an arms race in this area.<sup>26</sup>

The New York Times, however, criticised the American decision and called it "a step backward". The newspaper commented "The Nixon Administration's decision to resume arms shipments to South Asia - principally to Pakistan - marks a disturbing step backward .... The danger lies in the potential psychological impact of any renewal of American arms aid on internal political developments in Pakistan and on delicate peace negotiations among Pakistan,

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26. Times of India (New Delhi), 15 March 1973.

India and Bangladesh".<sup>27</sup>

The partial lifting of the U.S. embargo on supply of arms to Pakistan encouraged Islamabad to ask for more. However, because of the seeming imperviousness of Nixon to Islamabad's repeated pleas, Bhutto started using his Islamic connections to plead the Pakistani case in Washington. Both Iran and Saudi Arabia, which had emerged as important factors in the region, were approached. While the Shah's moves to project Iranian power into the Gulf area made some of his smaller neighbours nervous these moves did not disturb Pakistan. Rather Bhutto, acknowledged Iran's pre-eminent role in South-West defense and extracted an offer of a security umbrella. Within the context of joint security, the Shah gave Pakistan almost \$ 850 million in economic and military assistance, and also offered a tempting \$ 2.5 billion deal to Daud for Afghan developments. Given the linkage in the security of Iran, Pakistan and Afghanistan, the Iranian monarch's pressure on Kissinger and Ford to support Pakistan through arms sales was seen to be in Iran's self-interest.<sup>28</sup> Thus, it was entirely natural that between 1973 and 1975, the Shah was a firm supporter of Bhutto's requests to Ford and Kissinger for arms sales to Pakistan. Saudi Arabia was the other pillar

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27. New York Times, 19 March 1973.

28. As Bhutto had stated to Kissinger, "If there are small bangs, it does not matter. If there is a big bang, then / the U.S. / can not consider Iran's security separate from Pakistan's, Pakistan Times, 9 August 1976.



of support for Pakistan within the Islamic bloc. Saudi financial aid was crucial for economic projects as well as some military purchases. However, while the Saudis gave some cash, they stayed away from involvement in any specifics of the arms deals. Yet, they were quite impressed with the argument that Pakistan's legitimate defense needs required arms purchases from the United States and their position on this issue was extremely important in Washington. Bhutto himself had also averred that the United States had an 'obligation' to supply military equipment to Pakistan under the existing treaties (The Mutual Defence Agreement Pact of 1954 and the Bilateral Defence Pact of 1959).<sup>29</sup>

During this phase, one irritant that could have affected action against lifting of arms embargo was divergent approaches of Pakistan and the United States during the 1973 Arab-Israeli war. Although there was no overt U.S. reaction to Pakistan's solid military backing to the Arabs during the war, its policy did affect the Congressional attitude towards military supplies. This is apparent from Bhutto's remarks, "We were also told that Pakistan's pro-Arab policy has made the Senate sensitive to arms resistance to Pakistan".<sup>30</sup>

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29. Times of India (New Delhi), 6 July 1973.

30. Bhutto's interview with the New York Times on 8 July 1974, Pakistan Horizon, vol. 27, no. 3, 1974, p. 195.

India successfully tested the Peaceful Nuclear Explosion at Pokharan in 1974. Pakistan used this as a pretext to lobby its case with United States in favour of lifting of the arms embargo. Bhutto who had been Minister for fuel, energy and natural resources in the Ayub Administration, in May, 1974 characterised the Indian explosion as a "fateful development" for Pakistan's security saying: "The explosion has introduced a qualitative change in the situation prevalent in the subcontinent".<sup>31</sup> He sent his Foreign Minister, Aziz Ahmed, to various Western capitals to explain that consistency in Western concerns for non-proliferation demanded a positive response to Pakistan's request for protection against possible nuclear "blackmail" from India. Aziz Ahmed's plea for security guarantees from the great powers against Indian nuclear threat went unheard. Not even verbal guarantees were forthcoming. The fact that CENTO turned down Pakistan's request to be included under its "nuclear umbrella" disappointed Pakistan.<sup>32</sup> However, after

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31. Foreign Affairs Records (New Delhi, Ministry of Foreign Affairs), vol. 20, no. 6, June 1974, p. 195.

32. G.W. Choudhury, India, Pakistan, Bangladesh and the Major Powers (New York, 1975), p. 240. However, it is difficult to believe that Bhutto really put any faith in Western guarantees against nuclear blackmail. For even in Europe these guarantees are viewed with considerable skepticism. And compared with Europe, a nuclear attack on Pakistan would cause much less concern. So clearly, a consummate politician that Bhutto was, his real purpose was to bring Indian nuclear activities under closer focus in the United States, with the hope that a super power attention would bring a restraining influence on any nuclear moves by India.

the 1974 test, Bhutto's argument for the lifting of the U.S. arms embargo took a new turn. He argued that if Pakistan were denied conventional arms, it would have to develop its own nuclear capability.<sup>33</sup> If it were given conventional arms, it would place its atomic reactors under international supervision. This line of argument eventually seemed to convince the Ford Administration regarding the lifting of the arms embargo.

There were some other considerations also in lifting the arms embargo. By this time Afghanistan was coming under increased Soviet influence as underlined by the overthrow of the pro-West Afghan King Zahir Shah in July, 1973. Coinciding with the Kabul coup was the internal uprising in the Baluchistan province of Pakistan which the Doud

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33. Radio Pakistan, 19 December 1974, quoted in P.K.S. Namboodiri, "A Pakistani Bomb", India Backgrounders (New Delhi), 9 April 1979. Bhutto had said in an interview with Pakistani correspondents on the third anniversary of his resuming office, "The U.S. military embargo has not contributed to the stability in South Asia. If conventional arms are not supplied to Pakistan under treaty obligations, and the disparity (between these countries) reaches a stage where it threatens the stability of South Asia, Pakistan will be duty bound to take all measures to protect its integrity. Pakistan has no intention at this point of developing nuclear weapons, but the country may be forced into a military-nuclear programme if its back is to the wall". See, Tribune (Chandigarh), 22 December 1974. In an earlier interview with Financial Times (London), he had confessed that as Foreign Minister, he had urged Field Marshall Ayub Khan that Pakistan should develop its nuclear device. He added that the question of Pakistan growing nuclear now in the new direction was under study: "I tell you quite candidly we are still examining the pros and cons of it", see Times of India (New Delhi), 25 July 1974.

regime, that had ousted Zahir Shah, exploited by reactivating the issue of "Pakhtoonistan". This new development followed by Kabul's war to Islamabad<sup>34</sup>, brought home the need to help Pakistan by resecuring arms supply. Even the apprehension of the possible repercussions of happenings in Baluchistan over the adjacent territories of Iran was one of the main factors that propelled the Shahanshah of Iran to persuade the United States to assist the Bhutto Government.<sup>35</sup>

That, unlike Delhi, Islamabad had not opposed the U.S. military base at Diego Garcia could also have positively affected the American Administration. Among the various American arguments in favour of the Diego Garcia base, it had been pointed out that there was the vital necessity of having a demonstrable U.S. capability in the Indian Ocean - Gulf area and that "it would serve as a reinforcement for United States' efforts to bring the parties to the conflicts in this region to the peace table". In this connection, other American efforts to bring peace in the intra-regional disputes of the area, such as the Indo-Pakistani conflicts of 1965 and 1971, had also been mentioned. Keeping in view the American naval moves against India during the 1971 war,

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34. On 23 September, 1974, the Afghan Deputy Foreign Minister said that the "long-smouldering border dispute with Pakistan would erupt into a full-scale war in less than a month", cited in G.W. Choudhury, n. 32, p. 242.

35. Far Eastern Economic Review (Hong Kong), 28 February 1975, p. 24.

all these had caused great anxieties in India. The Government of India had, therefore, pleaded to keep Indian Ocean a zone of peace<sup>36</sup> and had protested the building up of Diego Garcia base.<sup>37</sup> However, Pakistan had not opposed these developments. On the other hand, Bhutto himself had offered the United States a naval and air base on the shores of the Arabian Sea.<sup>38</sup> However, the proffering of a base can not be said to have much effect in American strategic thinking. With its well-developed Diego Garcia base, the possibility of using Iran's Chahabasar base, if there was a necessity, and a host of friendly Gulf states, such as Kuwait and Saudi Arabia, in the surrounding region, the United States could as well look to its strategic interests in the subcontinent without having a base in Pakistani shores.

In this context, one important development in the domestic politics of Pakistan needs to be mentioned. When Bhutto started nurturing the United States connection in the post-1971 phase, his coterie of advisers in the Cabinet had begun to move Pakistan along new socialist lines.<sup>39</sup>

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36. New York Times, 6 May and 5 October 1974.

37. Ibid., 10 April and 29 November 1974.

38. The Times, 5 February 1975; Far Eastern Economic Review, 14 February 1975, p. 29.

39. For a discussion of the evolution of post-1971 Pakistani politics, see Surendra Nath Kaushik, Pakistan Under Bhutto's Leadership (New Delhi, 1985).

Prominent among these were Mubashir Hasan (Finance), Sheikh Rashid (Health), J.A. Rahim (Industrial Production), and Khurshid Hassan Meer with the portfolio of "Establishment". There was a basic dichotomy in this approach and this began to be felt soon after 1972. But by 1974, Bhutto had successfully extricated the PPP from the leftist influence. He threw out the most committed of the leftists from the Cabinet. Rana Hanif replaced Mubashir Hasan in the Ministry of Finance (which eventually went to Hafeez Pirzada); Rafi Raza took over J.A. Rahim's post as minister of production; Yusuf Khattak became minister of fuel, power and natural resources; Feroze Kaiser took charge of the Industries Ministry. It is difficult to analyse the exact role played by the United States in this regard. However, it is a fact that Bhutto was wooing the American connection with the greatest zest and knew that there were few if any rewards for an anti-American policy, which would be a corollary to supporting the leftist movement within the PPP.

Finally, the ending of the arms embargo came as a relief to Pakistan. On 24 February, 1975, the United States Government informed the Government of India that it was lifting the 10-year old arms embargo against Pakistan.<sup>40</sup>

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40. Department of State Bulletin (Washington), vol. 72, 17 March 1975.

Washington justified its action on the ground that India had conducted a nuclear explosion the year before and the United States was vitally interested in maintaining the balance of power in the region.<sup>41</sup> Foreign Minister, Y.B. Chavan, was supposed to visit Washington in March, 1975 to participate in the Indo-U.S. Joint Commission meeting. He had requested the U.S. Administration that a decision to lift the arms embargo should at least be deferred until he had an opportunity to discuss the issue with U.S. leaders; but the State Department had ignored his request. In protest against the decision, Chavan's visit was cancelled. A brief, but terse, official announcement said, "In the present circumstances the External Affairs Minister will not be able to go to Washington to attend the meeting of the Indo-U.S. Joint Commission".<sup>42</sup> India reacted quite strongly against U.S. decision.<sup>43</sup>

The Indian Ambassador to the U.S., T.N. Kaul summed up the Indian position at a press conference in Washington on 24 February. The U.S. administration's policy towards the subcontinent was still based on the concept of power balance through supply of arms - "a policy that failed in

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41. Indian Recorder and Digest (New Delhi), vol. 21, no. 3, March 1975, p. 5.

42. Quoted in *ibid.*, p. 6.

43. See Foreign Minister Chavan's statement in the Lok Sabha, Foreign Affairs Record, vol. 21, February 1975, pp. 75-77 and in the Rajya Sabha, Foreign Affairs Record, vol. 21, March 1975, pp. 99-103 and Report, 1974-75.

the subcontinent and some other adjoining areas". The arms embargo had helped relax tensions and the process of normalisation under the Simla Agreement. The Indian view, he said, was based on "our experience of the past two decades when three bloody conflicts took place in the subcontinent in which American arms were used against India, in spite of American assurances to the contrary".<sup>44</sup>

Prime Minister Indira Gandhi said two days later that the resumption of arms supplies by the United States to Pakistan "amounts to reopening the old wounds". It was "totally specious", she said, to argue that arms should be supplied to Pakistan because we, in India, are developing a self-sufficient defence industry. It was "even more dishonest", she contended, to argue that India's peaceful nuclear research posed a danger to Pakistan. She noted that Pakistan's "new belligerence" coincided with the start of fresh flow of arms and that the moral of this coincidence should not be lost on the world.<sup>45</sup>

Even before the formalisation of the decision to lift the arms embargo, Pakistan was already getting substantial U.S. military and economic aid. During 1972-1974, sale of American arms to Pakistan rose to about \$ 82 million. Moreover, Pakistan got anti-tank missiles, jeeps and other

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44. Asian Recorder, 9 April 1975, p. 12534.

45. Ibid., 21 May 1975, p. 12597.



military vehicles worth about \$ 100 million from the United States.<sup>46</sup>

However, the lifting of the arms embargo also did not result in the opening of the floodgates for U.S. arms. It could not because of the monetary constraints continually faced by Pakistan as well as the defensive nature of the weapons systems that U.S. policy makers were prepared to consider for sale. But the greatest difficulty arose over the Franco-Pakistani agreement for the sale of a nuclear reprocessing plant.

During Bhutto's visit to France in 1975, he had brought up the issue of a French nuclear power plant for his country. He had emphasised Pakistan's peaceful intentions in the nuclear field. In an interview with the French Weekly Le Nouvel Observateur, he stressed that "for poor countries like us, (the) atom bomb is a mirage and we do not want it. In 1965, when I was the Foreign Minister, I said that if India had the atom bomb, we would get one too, even if we had to eat grass. Well, we are more reasonable now-a-days."<sup>47</sup> An official Pakistani Government announcement disclosed on 19 March, 1976 that a Franco-Pakistani bilateral agreement on the plant had been

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46. The Statesman (New Delhi), 25 February 1975.

47. Morning News (Karachi), 22 October 1975.

signed.<sup>48</sup> This was followed, on 18 March, by a trilateral agreement on the application of safeguards on the plant signed at the IAEA headquarters in Vienna. Pakistan also agreed to safeguards placed by France on the deal as well as international inspections and checks.<sup>49</sup> The United States tried to scuttle the deal by applying pressure on Pakistan and France.

The U.S. news media highlighted the Director of the U.S. Arms Control Development Authority Fred Ikle's statement on the explosive issue. He had informed the U.S. Senate's Foreign Relations Committee that Pakistan had no "economic justification" to undergo the expense and effort required to set up the recycling plant in view of its limited nuclear power programme. He had warned that Pakistan's real interest in acquiring the plant lay in its desire to match India's nuclear capacity.<sup>50</sup> Bhutto responded that it was for his country alone to determine economic justifications for its nuclear energy programme. He stressed that Pakistan, as a sovereign country, would not allow any individual or state to dictate to it.<sup>51</sup>

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48. Dawn (Karachi), 20 March 1976.

49. Ibid., 23 March 1976.

50. A.T. Chaudhri, "Bhutto's Mission to the West - II", ibid., 11 March 1976.

51. Ibid., 28 February 1976.

The United States Government continued its attempts to obtain a cancellation of the proposed deal. In letters to the French President Valery Giscard d'Estaing and the Pakistan's Prime Minister, Mr. Bhutto, Gerald Ford reportedly attempted to dissuade the two leaders from going on with the deal. In his letter to Bhutto, he argued that the establishment of the reprocessing plant would be financially burdensome on Pakistan and politically an unwise move.<sup>52</sup> In reply, Bhutto assured the Ford that the plant would be used only for generating electricity and not as a component in any future nuclear arms race with India. Pakistan, he said, had agreed to all the conditions imposed by the IAEA as well as those demanded by France to preclude the possibility of the construction of the bomb.<sup>53</sup>

The next U.S. move was the visit of Henry Kissinger to the two countries involved in an attempt to pressurise them into abandoning the nuclear deal. During his Pakistan tour in August, 1976, Kissinger pleaded with Bhutto officially and unofficially, to cancel the contract. "All nations must fix their priorities", said Kissinger. "There are some things which ought to be processed and there are others which should better be left unprocessed".<sup>54</sup> He both cajoled

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52. Far Eastern Economic Review, 17 December 1976, p. 28.

53. Ibid.

54. Ibid., 17 December 1976, p. 28.

and threatened Pakistan to rescind the deal, warning that all U.S. aid to Pakistan might be cancelled under the Symington Amendment<sup>55</sup>, if it decided to go ahead with the agreement.<sup>56</sup> On its part, Pakistan made it clear that the reprocessing plant was essential to its national interests. The issue of proliferation did not arise as France had applied rigid safeguards to the agreement, which had been approved by the IAEA. Soon followed Kissinger's "strictly private and recreational visit"<sup>57</sup> to France in August 1976. From Deauville, Kissinger spoke on the telephone to the French Foreign Minister, M. Jean Sauvagnargues, on the Franco-Pakistani reprocessing deal.<sup>58</sup> Kissinger's attempts to persuade France to abandon the deal angered the French press and political circles. The French Press condemned the U.S. move to pressurise Pakistan as blackmail and blatant interference in the

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55. The Amendment explicitly forbids the United States from providing military and economic aid to those countries that are embarking on a programme geared towards the production of nuclear weapons.

56. Although at the onset of the issue Bhutto denied that any pressure was being brought to bear on his country for the cancellation of its nuclear reprocessing plant deal with France, it was later revealed that threats to that effect had been made by the American Administration. In his 10 June, 1977 speech in the National Assembly, Bhutto disclosed that in September 1976, Henry Kissinger had warned the Pakistani Ambassador in Washington that a Democratic Administration would make a 'horrible' example of Pakistan if it did not cancel the deal and regardless of which party won the U.S. elections, there were "troubles galore" in stock for Pakistan. See, Dawn, 11 June 1977.

57. The Times, 10 August 1976.

58. Ibid.

affairs of Pakistan and France. The Quotidien de Paris saw the issue as an opportunity for France to reassert its independence against the U.S. interference.<sup>59</sup> There was an element of commercial competition in this American campaign against the reprocessing deal. The Americans were especially incensed as they had so far been unaccustomed to this form of competition from their allies. Bhutto reaffirmed his Government's resolve to honour the contract and said, "We did not talk in terms of ultimatum. Dr. Kissinger tried to convince me. I did the same .... In any case, it is not easy to threaten and to issue an ultimatum to a sovereign state. This is an agreement that we will not cancel and will not break. We are abiding by our agreements towards France .... And we will not change our minds .... We are going to go ahead with the purchase of the reprocessing plant".<sup>60</sup>

Following the French-Pakistani deal attention was immediately riveted to the Canadian heavy-water reactor (HWR), KANUPP. Statistics were cited by Washington that many kilograms of plutonium per year could be produced if it operated at full capacity.<sup>61</sup> Argument was made that from

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59. Dawn, 11 August 1976.

60. The Times, 10 August 1976.

61. Bhutto's interview with the Paris Radio Station on 10 August 1976. Quoted in Samina Ahmed, "Franco-Pakistan Relations - II : The Issue of the Nuclear Reprocessing Plant", Pakistan Horizon, vol. 31, no. 3, 1978, p. 41.

its KANUPP operations in five years Pakistanis would have as much as a total of 500 kilograms of plutonium and hence the capability of making approximately a hundred nuclear bombs.<sup>62</sup> The possible acquisition of the reprocessing plant was seen by Washington as being tantamount to delivering the "weapon on a silver platter" to Pakistan. And accordingly, the United States heartily approved the Canadian action to cut off the supply of fuel for KANUPP.

1976 was the year of election in the United States. And the allegation of French political circles<sup>63</sup> that "domestic politics" was the major motivation behind the increased interest in nuclear proliferation was justified. As the elections approached, the issue came to the fore of the campaign. One of the primary issues of concern to Presidential candidate Carter was the dangerous spread of nuclear weapons and the priority his government would give to curtailing it. He especially stressed the dangers involved in the Franco-Pakistani deal. He criticised the Ford Administration for failing to dissuade the two parties

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62. Technical problems and fuel shortages prevented KANUPP from operating at its full capacity. Even in 1974, it was out of operation for sixty days, because of heavy water leakage. Dawn, 4 August 1976.

63. The French Prime Minister, Jacques Chirac, had said in a radio interview that behind the U.S. moves lay the motives of commercial rivalry, the ambition to enforce super power hegemony and most of all "the needs of President Ford's election campaign". See, A.T. Chaudhri, "World Press on Kissinger's Asian Mission", Dawn, 29 August 1976. The French Foreign Minister had also pointed out in a radio interview that "the electoral situation in the United States is undoubtedly influencing this affair", quoted in the Pakistan Times, 12 August 1976.

concerned from abrogating the deal. In speeches on 13 May and 30 September 1976 at New York and San Diego, respectively, Carter said that he would halt the future sale of U.S. nuclear power, technology and reactor fuel to any country failing to denounce nuclear weapons development or insisting upon building its own nuclear fuel reprocessing plant; he would also call upon all nations to accept a voluntary moratorium on the sale of nuclear reprocessing or fuel enrichment plants.<sup>64</sup> In the speech at New York city he merely expressed the hope that such a moratorium would apply to "recently completed agreements".<sup>65</sup> But later on he specifically mentioned that such a moratorium "should apply retrospectively" to the French agreement to supply such technology to Pakistan. He declared that although "the contracts have been signed, but deliveries need not be made".<sup>66</sup>

When both threats and pleadings did not succeed in dissuading Pakistan from its chosen course, Kissinger, during his last visit to Pakistan, tried to sugar coat the U.S. pressure by making an offer to sell Pakistan 100 A7 jet fighters in exchange for the abandonment of the reprocessing deal with France. The offer was received

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64. Dawn, 4 October 1976.

65. Ibid.

66. The Pakistan Times, 4 October 1976.

favourably by officers of the Pakistani Armed Forces, particularly by its Commander, Air Marshall Shamim. The A-7 was considered to be "the foremost power symbol of medium and small powers",<sup>67</sup> and the air force was quite aware of its superior performance capacities. Despite eagerness on the part of the military to accept Kissinger's offer, Bhutto was reluctant. He was not sure of the seriousness of the U.S. offers. His fears were soon confirmed when the bureaucracy raised a hullabaloo, describing the offer of the sale of A-7 as a bribe. However, opposition came from both the Bureau of Politico-Military Affairs (Pol-Mil) and the Bureau of Near Eastern and South Asian Affairs (NEA) at the Department of State, claiming that the sale of A-7s would set an ugly precedent and leave the United States open to future blackmail by countries using threats of nuclear technology acquisition.<sup>68</sup>

Thus the nuclear issue became one of the central factors in American-Pakistani strategic relations from 1976 onwards and had a direct bearing not only on their political ties but also on economic co-operation and American military sales to Pakistan. The only major military

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67. Robert M. Lawrence, "The Non-Proliferation Treaty and the Nuclear Aspirants: The Strategic Context of the Indian Ocean", in Onkar Marwah and Ann Shultz, ed., Nuclear Proliferation and Near Nuclear Countries (Cambridge, Mass., 1975), p. 74.

68. Leslie Gelb, "Arms Sales", Foreign Policy, vol. 25 (Winter 1976-77), pp. 12-13.



sale made to Pakistan after the lifting of the embargo was negotiated in 1976. Pakistan purchased self-propelled howitzers and two surplus destroyers. Bought at their junk value of \$ 225,000, the destroyers were non-operational at the time of purchases. An additional \$ 16 million was spent in order to refumish the two destroyers at U.S. shipyards. Pakistani crews went to the United States for fifteen months of training in 1977. The total cost of the deal was \$ 37 million, which included some \$ 19 million in munitions, torpedoes and anti-submarine rockets. Originally, Pakistan had asked for six destroyers of the same make, which would have enabled the Pakistan Navy to retire the WW-II vintage ships it operated. But Islamabad was unable to secure the additional four because of the Congressional ban on naval transfers.<sup>69</sup>

Thus in the post 1971 phase, Nixon and Kissinger continued to view Pakistan as part of a larger picture of which the Sino-Pakistani relationship was an important component, and in this sense the U.S.-Pakistani relationship in the 1972-77 period was active, particularly between 1972 and 1975 when the arms embargo was lifted. As a reaction to this, the proposed visit of the Foreign Minister, Y.B. Chavan to Washington to participate in the Indo-U.S. Joint Commission meeting was cancelled. When Pakistan signed the

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69. Tahir-Kheli, n. 12, p. 91.

reprocessing plant agreement with France in March 1976, U.S.-Pakistani strategic relations again ran into difficulties. United States tried to pressurise Pakistan to abandon the deal. However, it sweetened its pressure by offering Pakistan A-7s if it gave up the reprocessing plant. But Bhutto saw the nuclear option as necessary, it could not be sacrificed in exchange for the A-7s.

## Chapter 3

### CARTER ADMINISTRATION AND AMERICAN-PAKISTANI STRATEGIC RELATIONS

Throughout the presidential election campaign of 1976, Carter had pledged that the United States could not simultaneously claim to be the world's leading peace-maker and remain the world's largest arms merchant. Once in office, Carter moved to implement his promise to reduce U.S. arms transfers which he expected would rapidly result in decreasing the threat to peace around the world. Despite the existence of other sources of arms transfers, the United States would, in the Carter view, set an example by unilaterally moving towards a reduction in its arms trade. After his election Carter applied controlling channels and set a ceiling figure for arms transfers<sup>1</sup>, he also moved the locus of decisions on arms transfers from the Pentagon to the State Department. Details of the new policy indicated the variety of channels and the number of controls that were to be brought to bear: the Arms Export Control Board (AECB), the Policy Review Committee (PRC) of the National Security Council (NSC), as well as the NSC itself and the like.<sup>2</sup> This policy was

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1. Fourteen NATO allies, Japan, New Zealand and Australia were exempted from the controls.
  2. Paul Y. Hammond, David J. Louscher and Michael D. Saloman, "Controlling U.S. Arms Transfers: The Emerging System", Orbis, vol. 23, no. 2, Summer 1974, p. 319.

based on the assumption that U.S. security assistance programmes operated in a new international milieu in which there were a large number of nations whose security needs were peripheral to the East-West confrontation. However, the United States was to reserve the right to undertake arms transfers in the form of a major response to threats facing friends and allies.<sup>3</sup> In this context, Pakistan's request for 110 A-7 fighter air craft was turned down. To appease Pakistan, the Carter Administration attempted to offer an explanation and made an alternative offer. The explanation centred on the advanced performance characteristics of the A-7, with its forward-looking infra-red (FLIR) system that provided it a night and all-weather attack capability against armour and other targets. Thus the denial was explained in terms of the concept of non-introduction of a sophisticated weapons systems in South Asia.<sup>4</sup> The alternative offer consisted of the relatively obsolete and, clearly harmless, A-4s or the limited-range F-5s. But the Pakistanis rejected this offer.

Meanwhile, on January 7, 1977, Bhutto had declared that national and provincial elections would be held on March 7 and March 10, respectively. Election results gave

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3. Ibid.

4. News Week (New York), 13 June 1977, p. 9.

PPP a thumping majority<sup>5</sup>, but soon agitation started in Pakistan and Bhutto was charged of having rigged the elections. He firmly believed that Washington was directly involved in the agitations, and this was just the manifestation of United States making "a horrible example" of Bhutto because of his being adamant on the nuclear re-processing plant issue.<sup>6</sup> Incidentally against large-scale domestic turmoil on this issue of rigging in elections, Bhutto was ousted in a coup-d-etat and General Zia emerged as the Chief Martial Law Administrator,

So central had the nuclear issue become to the U.S.-- Pakistani strategic relations that twice during the period 1977-81 American economic aid to Pakistan was suspended and military sales disallowed under the Symington Amendment. In August 1978 and April 1979, the State Department announced that all development aid to Pakistan was

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5. For an indepth study of the issues relating to the elections, see Lawrence Ziring, "Pakistan: The Campaign before the Storm", Asian Survey, vol. 7, no. 7, July 1977, pp. 581-98; Marvin Weinbaum, "The 1977 Elections in Pakistan: Where Everybody Lost", Asian Survey, vol. 17, no. 7, July 1977, pp. 599-618; and Anwer Syed, "Pakistan in 1977: The 'Prince' is under the Law", Asian Survey, vol. 18, no. 2, February 1978, pp. 117-25.
  6. Eventually even though France did not renege on its commitment with Pakistan regarding supply of the nuclear reprocessing plant, it sought to modify the contract for supplying a facility that would re-process the spent fuel and plutonium and uranium in lieu of Plutonium-239. Pakistan reportedly did not agree to this modification in the contract, and so the work at the plant was stopped by the French technicians.

halted.<sup>7</sup> In terms of the military sales relationship also this low ebb in Pakistani-American relations was reflected. Although the United States had imposed an embargo on the supply of arms to Pakistan during 1965 Indo-Pakistani war and American military aid had never been resumed. Islamabad was allowed from 1967 onwards to buy spare parts and other weapons not classified as lethal. But once the nuclear issue clouded relations between the two countries in 1976, the United States refused to supply arms to Pakistan even though they were to be paid for. Apart from disallowing the \$ 700 million deal for the sale of 110 A-7 fighter aircraft, the United States also turned down another request by the Pakistani government for the purchase of American arms in 1978.<sup>8</sup> It is significant that at no stage the Carter Administration declared a formal embargo on the sale of military equipment to Pakistan. But no deal was allowed to go through.

By mid-1979 a new direction could be discerned in American policy towards South Asia. This was directly a result of two major developments in the region. First, the

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7. Aid was first suspended in August 1978, but was resumed in October 1978 when the reprocessing plant deal was tacitly dropped by France. But later aid was again halted in 1979, when the Western media carried reports about the nuclear plant being built near Islamabad which the American government claimed was capable of producing weapons-grade materials.
  8. This was revealed by the outgoing Pakistani Ambassador in Washington, Shahibjada Yakub, on the eve of his departure in early 1979.

Great Saur revolution of April 1978 which had brought the Socialist Khalq Party into power in Kabul had gradually led to a growing Soviet presence in Afghanistan<sup>9</sup>, the pressure of which was first felt by the U.S. when its Ambassador in Kabul was assassinated in February, 1979. Secondly, the Iranian Revolution that ousted the Shah from Iran spelt an abrupt end to the American military presence and political influence in the area which drastically changed the strategic balance in the Gulf region.

Later the Soviet military intervention in Afghanistan in December 1979, became a watershed. Carter reversed his foreign policy priorities from human rights back to national security. American and Pakistani strategic perceptions converged and American and Indian strategic perceptions clashed once again. As a frontline state vocally opposed to the Soviet presence on the borders, Pakistan was upgraded dramatically in the United States' global strategy. Within a few days of the Russian move, Carter categorically announced that the U.S. was to supply military equipment, food, and other aid to Pakistan to defend its territorial

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9. For background, see Richard S. McWell, "Revolution and Revolt in Afghanistan", The World Today, vol. 35, no. 11, November 1979, and "Soviet Intervention in Afghanistan", The World Today, vol. 36, no. 7, July 1980. See also G.S. Bhargava, South Asian Security After Afghanistan (Mass., Toronto, 1983), pp. 36-49.

integrity and security. He also reaffirmed the U.S. commitment to Pakistan under the 1959 executive agreement and declared that America would use force if necessary to defend Pakistan. Soon thereafter, Agha Shahi visited Washington in January 1980 for further negotiations.

The American aid package to Pakistan which was being worked out in early 1980 but did not materialise had three components (i) an American commitment to guarantee Pakistan's security, (ii) \$ 200 million worth of American economic aid to Pakistan, spread over two years and (iii) \$ 200 million worth of military hardware to be supplied to Islamabad by Washington. However, Zia-ul-Haq rejected this offer, terming it as 'peanuts'. The most plausible reason for this rejection was that the aid offered was of small quantity and it would have incurred Soviet hostility without giving any real security.<sup>10</sup>

The 1980 deal which fell through is, however, important for it helps to place into perspective the package agreement which was to come about in June, 1981. Although no substantive change had occurred in the situation in South-West Asia in the intervening period, the advent of the Reagan Administration in Washington brought about a

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10. Zubaida Mustafa, "Pakistan-U.S. Relations: The Latest Phase", The World Today, vol. 37, no. 12, December 1981, pp. 471-72.



major shift in the American policy. The keynote of the new policy was to contain what the U.S. perceived as Soviet expansionism by establishing the credibility of American military power. The Reagan Administration viewed all East-West issues in military terms and its strategy was to combat Soviet power by sharing up the defences of countries favourably inclined towards the West through a free flow of arms and military equipment.

With two days of Reagan's assumption of office, the American Ambassador in Pakistan reaffirmed the U.S. commitment to support Pakistan's security and territorial integrity. In February 1981, the U.S. government undertook an in-depth review of the situation the outcome of which was the decision to arm Pakistan. Testifying before the Senate Foreign Relations Committee, the new Secretary of State, Alexander Haig, declared that the security of Pakistan was of particular concern to the United States which would seek to develop a "strategic consensus of concerns" in the region stretching from Egypt to Pakistan to counter the Soviet presence. He even advocated an American presence in the region.

The centrepiece of this new American-Pakistani closer relationship was the economic and military aid package of \$ 3.2 billion extending over a six-year period. The agreement which was to come into effect from October 1982

provided for an American credit of \$ 2 billion at an interest rate of 14 per cent for the purchase of military hardware by Pakistan. Some of this was to be of a highly sophisticated kind, such as the F-16 fighter bomber. The United States was to extend another \$ 1 billion as economic assistance on softer terms (3 per cent interest) for projects of military utility such as the construction of roads, railways and aircrafts in the areas bordering Afghanistan. The military sales and economic aid programme was subject to approval by the American Congress annually. Pending its implementation in the next year, crash military sales were to be allowed to Pakistan from October 1981 outside the framework of the package deal. These were to be paid for by Pakistan from its own resources or from the credit provided by some friendly Arab states.

The joint statement announcing the deal categorically declared that the presence of foreign troops in neighbouring Afghanistan posed a serious threat to the two regions. The two governments agreed that a strong and independent Pakistan was in the mutual interest of the United States and Pakistan as well as of the entire world. Hence, the United States would assist Pakistan and support its territorial integrity and sovereignty. But unlike the loudly proclaimed alignment of earlier years, the new relationship was to be more discreet and both governments took pains to stress that Pakistan's independence, non-

alignment and commitment to the principles and purposes of the Organisation of the Islamic Conference were not to be affected. The Americans specifically disclaimed any interest in military bases or in establishing any new alliances. In a separate statement, the Pakistani Foreign Minister Agha Shahi emphasised that no change in foreign policy was envisaged; Pakistan was to continue to seek a solution of the Afghan crisis through dialogue and to improve relations with India, and the Soviet Union. He also made it clear that arms being acquired were to be paid for, hence no quid pro quo was involved and Pakistan was not obliged to provide military bases to any foreign power, serve as a conduit for arms to the Afghan resistance movement, abandon its non-aligned status, or give up its support for Third World causes.<sup>11</sup>

Stephen Cohen in an assessment of the U.S. arms exports to Pakistan, pointed out that the U.S.S.R. is unlikely to undertake a massive invasion of the NWFP, because this would lead Moscow "away from the strategic prize of the Persian Gulf", or to take recourse in "a massive push through Baluchistan, either toward the Arabian Sea or en route to Iran", because this "might precipitate American intervention".<sup>12</sup> Pakistan could do little in

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11. For the text of the two statements see Dawn, 16 June 1981.

12. Stephen Cohen, "Security Decision-Making in Pakistan", Report for the Office of External Research, Department of State (Washington D.C., September 1980).

either of these contingencies except "resist with ground and air forces ... at considerable risk to herself and in the process delay Soviet advance!"

The most plausible contingency listed by Cohen is a series of attacks, either directly by the Soviets or by the Afghans with Soviet support, against Pakistan in the name of eliminating the refugee concentrations. In such an event, a rearmed Pakistan would be expected to repel the attacks and also train and arm the Afghan guerillas. According to Cohen, "there is no evidence that Pakistan has done any of these things, but they could form part a response to Soviet-Afghan pressure on Pakistan's highly permeable border". From the foregoing, it would appear that Pakistan's role would be purely defensive and that the United States should go to the rescue of an old ally for altruistic reasons. However, there was also an offensive component, either to force the Soviets to the Conference table to discuss a political solution of the Afghan problem or to overwhelm the Soviet-backed regime in Afghanistan and create a Vietnam-like situation for the USSR in Afghanistan.

Another assessment by Francis Fukuyama lists four contingency situations, but they are not to be taken in isolation.<sup>13</sup> As the author claims, on the unimpeachable

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13. See Francis Fukuyama, The Security of Pakistan: A Trip Report (Santa Monica, Calif., September 1980).

authority of the Joint Staff Headquarters of Pakistan, since "the Pakistanis regard India as a Soviet proxy" and "since the Soviet Union is in a position to control events on both the Western and eastern borders of Pakistan, limited contingencies along one portion of the frontier can not be viewed in isolation from the larger vulnerabilities of the country as a whole".

The contingencies presented by the Pakistani military leadership to Fukuyama and narrated by him "in order of seriousness" are:

1. The Soviet and Afghans use artillery and aircraft to attack refugee camps in Pakistan, thus pushing them back, demoralising the guerrillas, and preventing their incursions into Pakistan.
2. The Soviets seize salients of Pakistani territory along the Durand line and provoke Pakistan to counter attack. If Soviet troops thus control the mountain passes into Afghanistan, it may mean an end to guerrilla activity across the border.
3. India attacks Pakistan's eastern flank with a view to "destruction of Pakistan's armed forces or seizure of a sizeable portion of terrain". This would serve India's political goal of "assertion of hegemony over South Asia and the achievement of dominant power status in that region".

4. A co-ordinated attack is made by India in the east and the Soviets in Afghanistan from the west with the purpose of totally dismembering Pakistan. Moscow's goal would be to achieve access to the sea and to control Afghanistan's southern border; India's goal would be to undo the partition once and for all".

The Fukuyama scenarios are specific to Pakistan, although they are linked with the long-term strategic purposes of the USSR. As Fukuyama's Pakistani interlocutors stressed, the only remedy to the situation is assurance of support to Pakistan "all up and down the escalation ladder", not a limited assistance package. That provided the basis for Pakistan's military shopping list of F-16 fighter aircraft and M-60 battle tanks.<sup>14</sup> More important, the scenario vividly visualised by the Pakistani leaders and quoted by Fukuyama would be independent of any action by Pakistan in support of the Afghan guerrillas or against the Soviet military presence in Afghanistan. The contingencies were resulting from the Soviet occupation of Afghanistan. A border incident flowing from a Soviet pursuit of Afghan rebels - whose activities Pakistan would be in no position to control - could escalate into an air attack by the Soviets on Pakistani posts, followed by

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14. The Economist (London), 25 April 1981.

Pakistani retaliations, full scale Soviet military response and simultaneous Indian advance in the east, in quick succession. The quantum of military aid that would be necessary to rescue Pakistan in such circumstances would be enormous assuming that the action would be localised in and around Pakistan.

President Carter's 1980 offer of military assistance to Pakistan was upgraded by the Reagan administration in 1981. This led to large-scale concern in India, as the frightening possibility of United States acquiring bases in Pakistan opened up. With the imminent introduction of fighter bomber F-16s into the Pakistani air force, Indian heartland became vulnerable to a Pakistani aerial bombardment. This became a major security threat to India. Indian Prime Minister Indira Gandhi's reaction to the U.S. move was restrained even as it was firm. In its history, as an independent country India, as she said, had never before faced so grim a situation. In fact, the one that resulted from the U.S. decision to supply arms to Pakistan in 1954 bore no comparison with the one in 1981. For one thing, there had been then no question of Pakistan entertaining nuclear ambitions and thereby acquiring a weapon which would have nullified such edge as this country might have over it in respect of conventional forces. For another, the United States then had not been desperate and had not regarded Pakistan as key to its security interests in the Gulf region.

Two additional points need to be noted in this context. In 1981, Washington was obsessed with the fragility of friendly regimes in the Gulf which had not been the case in 1954, even though it had been critical of President Nasser and his concept of Arab nationalism. Despite his notorious pactomania Dulles, who had then been in charge of America's foreign policy, was a moderate compared with the hard-boiled right wingers who dominated the Reagan Administration in 1981. Again, in view of America's extremely hostile relations with China, he had also not been wholly insensitive to the need to show some respect for India's susceptibilities and interests.

The \$ 3.2 billion deal with the United States came just in the aftermath of the May 8 joint agreement between Foreign Minister Agha Shahi and External Affairs Minister Narasimha Rao proclaiming that both the countries had legitimate right to acquire "arms for self-defence". And the arms deal was signed with the United States Congress before the ink on the joint agreement had dried. There was a lot of resentment in India because of this. Narasimha Rao was criticised in the Press for having fallen a victim to the chicanery of Pakistan.

On September 15, 1981, Pakistan's official spokesman in a long statement announcing the formal acceptance by Pakistan of the package proposal for the supply and sale



of U.S. arms to Pakistan, first made the offer of a no-war pact to India. It was a suggestion of Pakistan's readiness "to enter into immediate consultations with India for the purpose of exchanging mutual guarantees of non-aggression and non-use of force in the spirit of the Simla agreement."<sup>15</sup> Its timing was also significant - "namely, the U.S. Congressional hearings on the U.S.-Pak arms deal".

The Pakistani offer was largely perceived in India as a means of diplomatic offensive<sup>17</sup>, a smokes screen under whose cover Pakistan would amass enormous amount of sophisticated arms and also go nuclear.

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15. The Times of India (New Delhi), 26 November 1981.
16. Ibid.
17. The Minister of State for Defence, Shivraj Patil, said in the Rajya Sabha on December 1, 1981, during discussion on arms supply, including F-16 bombers to Pakistan by the USA that the Pakistani offer of a no-war pact was a "diplomatic offensive". It was Pakistan's 'googley', he said and India had to be cautious about being duped.

## CONCLUSIONS

South-West Asia has become a geo-strategic region of vital importance in American strategic calculations. Its importance is derived from the region's being a source of critical Western energy supply and acting as a political barrier to potential Soviet domination of the Eurasian land-mass and connecting seas. The region is one where the strategic balance has already been altered suddenly and adversely by the fall of the Shah of Iran and where further erosion is likely. The United States established a separate unified command for this region on 1 January, 1983, the U.S. Central Command (Centcom) with its area of jurisdiction stretching from Egypt to Pakistan and from Kenya to Iran, but excluding Lebanon and Israel.

The Reagan Administration accelerated the effort to improve support facilities and access arrangements for deploying U.S. forces in and around the Indian Ocean. The U.S. nearly tripled the amount of maritime prepositioning she inherited at Diego Garcia, and began converting eight fast cargo ships (SL 7s) to roll-on roll-off configuration for movement of forces based in the United States. Other improvement in American capability to defend vital U.S. interests included major improvements of facilities to which her forces have had access; a gradual strengthening of army

logistics units needed to support RDF in many highly demanding climates and terrains where they may not have operated; and a 15-fold increase in the level of U.S. rapidly deployable medical support capability.

The U.S. has both a conventional and a strategic nuclear military interest in the Indian Ocean region. Military objectives for U.S. conventional forces include the capability to : (1) protect U.S. economic interests in the Persian Gulf region, (2) employ or threaten force in support of U.S. diplomatic objectives in West Asia, (3) secure the Indian Ocean air and sea-routes against harassment or intervention, (4) intervene in support of other objectives in the littoral and related to all of these, (5) balance Soviet forces in the region and attain superiority in a crisis. The United States also possesses potential strategic nuclear military capability of deploying when necessary or convenient, ballistic missile submarines targetted at the U.S.S.R.

In this context, Pakistan presented itself as a crucial strategic asset for the U.S.A. When Reagan came to power, it was easy for Pakistan to persuade him to accept its offer of co-operation in his anti-Soviet crusade. Zia thus obtained a large assistance package of \$ 3.2 billion. It is crystal clear that the U.S. and Pakistan have a mutual commitment to serve their different objectives. If the United States needs Pakistan's efficient and war-tested

military machine to check the alleged Soviet expansionism towards the West's oil lifeline in the Gulf, Pakistan needs the U.S. support for its security in view of the changed geo-political situation in the region and for meeting its requirements of arms supply for expansion and modernisation of its armed forces.

Even a cursory glance at the map would indicate the confluence of interests between the United States and Pakistan in the region stretching from Kenya to Pakistan where the centcom is to undertake military operations. Co-operation in the field of intelligence gathering and sharing would form an essential ingredient to serve this confluence of interests.

According to the Fukuyama report, the underlying purpose of U.S. military aid policy towards Pakistan is to restore a relationship of trust with Islamabad so that various strategic operations, such as access for the RDF to the Pakistani ports and airfields become successful. Thus Pakistan could serve as an extremely important entrepot for the RDF moving into the Gulf from the East, that is from Diego Garcia and the Philippines.

The 3.2 billion dollar aid package to Pakistan has been renewed and enhanced and Pakistan will get \$ 670 million every year for six years beginning with October 1988. Even though the military aid component of the package appears

smaller than the economic aid, the terms are so flexible that Pakistan could use almost the entire \$ 4,020 million for military purchases. India has opposed this large-scale arming of Pakistan by United States on the ground that it will lead to a subcontinental arms race.

During the Bangladesh war of 1971, the Indian Ocean had been drawn into the super power rivalry for the first time. The United States had sent a task force centred around the aircraft-carrier Enterprise to the Bay of Bengal. The Enterprise had taken 5 days (December 10 - December 15) to reach Bay of Bengal from the coast of South Vietnam. However, in mid-1980s if the United States considered it necessary to intervene in a similar situation, it could do so at short notice, because its presence already exists in and around the Indian Ocean.

India had supported the proposal mooted by Sri Lanka in 1971 for making the Indian Ocean a zone of peace to exclude all external powers, but nothing came of it, because both the U.S. and Soviet Union have tried to extend the concept of a nuclear-free zone to cover the littoral states as well, implying that all of them should agree to subscribe to the non-proliferation treaty. India, along with countries like Brazil and Argentina having ambitious programmes for harnessing nuclear energy, has rejected the treaty on the ground that it seeks to perpetuate a monopoly of the five nuclear weapon-states over the relevant technology.

In order to alleviate India's fears of the United States arms build-up in the Indian Ocean, Washington should categorically state that its obligations to Pakistan under the 1959 mutual security treaty rule out U.S. involvement in any conflict limited to Indian and Pakistani forces alone. The U.S. should make clear that the inclusion of Pakistan as one of the 19 countries covered by the Central Command (controlling the RDF) does not relate to the contingencies involving Indian and Pakistani forces alone. Similarly, the U.S. should make clear that the mission of its carrier battle group in the northern Arabian Sea relates to perceived security threat in the Gulf region, and not to any conflict limited to India and Pakistan.

APPENDIX I

MUTUAL DEFENSE ASSISTANCE AGREEMENT SIGNED  
BY THE UNITED STATES AND PAKISTAN AT  
KARACHI, MAY 19, 1954

The Government of the United States of America and  
the Government of Pakistan,

Desiring to foster international peace and security  
within the framework of the Charter of the United Nations  
through measures which will further the ability of nations  
dedicated to the purposes and principles of the Charter to  
participate effectively in arrangements for individual and  
collective self-defense in support of those purposes and  
principles;

Reaffirming their determination to give their full co-  
operation to the efforts to provide the United Nations with  
armed forces as contemplated by the Charter and to partici-  
pate in United Nations collective defense arrangements and  
measures, and to obtain agreement on universal regulation  
and reduction of armaments under adequate guarantee against  
violation or evasion.

Taking into consideration the support which the Govern-  
ment of the United States has brought to these principles  
by enacting the Mutual Defense Assistance Act of 1949 as  
amended, and the Mutual Security Act of 1951, as amended;

Desiring to set forth the conditions which will govern  
the furnishing of such assistance;

Have agreed:

#### Article I

1. The Government of the United States will make available to the Government of Pakistan such equipment, materials, services or other assistance as the Government of the United States may authorize in accordance with such terms and conditions as may be agreed. The furnishing and use of such assistance shall be consistent with the Charter of the United Nations. Such assistance as may be made available by the Government of the United States pursuant to this Agreement will be furnished under the provisions and subject to all the terms, conditions and termination provisions of the Mutual Defense Assistance Act of 1949 and the Mutual Security Act of 1951, acts amendatory of supplementary thereto, appropriation acts thereunder, or any other applicable legislative provisions. The two Governments will, from time to time, negotiate detailed arrangements necessary to carry out the provisions of this paragraph.

2. The Government of Pakistan will use this assistance exclusively to maintain its internal security; its legitimate self-defense, or to permit it to participate in the defense of the area, or in United Nations collective security arrangements and measures, and Pakistan will not undertake any act of aggression against any other nation. The Government



of Pakistan will not without the prior agreement of the Government of the United States, devote such assistance to purposes other than those for which it was furnished.

3. Arrangements will be entered into under which equipment and materials furnished pursuant to this Agreement and no longer required or used exclusively for the purposes for which originally made available will be offered for return to the Government of the United States.

4. The Government of Pakistan will not transfer to any person not an officer or agent of that Government, or to any other nation, title to or possession of any equipment, materials, property, information, or services received under this Agreement, without the prior consent of the Government of the United States.

5. The Government of Pakistan will take such security measures as may be agreed in each case between the two Governments in order to prevent the disclosure or compromise of classified military articles, services or information furnished pursuant to this Agreement.

6. Each Government will take appropriate measures consistent with security to keep the public informed of operations under this Agreement.

7. The two Governments will establish procedures whereby the Government of Pakistan will so deposit, segre-

gate or assure title to all funds allocated to or derived from any program of assistance undertaken by the Government of the United States so that such funds shall not, except as may otherwise be mutually agreed, be subject to garnishment, attachment, seizure or other legal process by any person, firm, agency, corporation, organization or government.

#### Article II

The two governments will, upon request of either of them, negotiate appropriate arrangements between them relating to the exchange of patent rights and technical information for defense which will expedite such exchanges and at the same time protect private interests and maintain necessary security safeguards.

#### Article III

1. The Government of Pakistan will make available to the Government of the United States rupees for the use of the latter Government for its administrative and operating expenditures in connection with carrying out the purposes of this Agreement. The two Governments will forthwith initiate discussions with a view to determining the amount of such rupees and to agreeing upon arrangements for the furnishing of such funds.

2. The Government of Pakistan will, except as may other-

wise be mutually agreed, grant duty-free treatment on importation or exportation and exemption from internal taxation upon products, property, materials or equipment imported into its territory in connection with this Agreement or any similar Agreement between the Government of the United States and the Government of any other country receiving military assistance.

3. Tax relief will be accorded to all expenditures in Pakistan by, or on behalf of, the Government of the United States for the common defense effort, including expenditures for any foreign aid program of the United States. The Government of Pakistan will establish procedures satisfactory to both Governments so that such expenditures will be net of taxes.

#### Article IV

1. The Government of Pakistan will receive personnel of the Government of the United States who will discharge in its territory the responsibilities of the Government of the United States under this Agreement and who will be accorded facilities and authority to observe the progress of the assistance furnished pursuant to this Agreement. Such personnel who are United States nationals, including personnel temporarily assigned, will, in their relations with the Government of Pakistan, operate as a part of the Embassy of

the United States of America under the direction and control of the Chief of the Diplomatic Mission, and will have the same privileges and immunities as are accorded to other personnel with corresponding rank of the Embassy of the United States who are United States nationals. Upon appropriate notification by the Government of the United States the Government of Pakistan will grant full diplomatic status to the senior military member assigned under this Article and the senior Army, Navy and Air Force officers and their respective immediate deputies.

2. The Government of Pakistan will grant exemption from import and export duties on personal property imported for the personal use of such personnel or of their families and will take reasonable administrative measures to facilitate and expedite the importation and exportation of the personal property of such personnel and their families.

#### Article V

1. The Government of Pakistan will:

(a) join in promoting international understanding and goodwill, and maintaining world peace;

(b) take such action as may be mutually agreed upon to eliminate causes of international tension;

(c) make consistent with its political and economic stability, the full contribution permitted by its manpower,

resources, facilities and general economic condition to the development and maintenance of its own defensive strength and the defensive strength of the free world;

(d) take all reasonable measures which may be needed to develop its defense capacities; and

(e) take appropriate steps to insure the effective utilization of the economic and military assistance provided by the United States.

2. (a) The Government of Pakistan will, consistent with the Charter of the United Nations, furnish to the Government of the United States, or to such other governments as the Parties hereto may in each case agree upon, such equipment, materials, services or other assistance as may be agreed upon in order to increase their capacity for individual and collective self-defense and to facilitate their effective participation in the United Nations system for collective security;

(b) In conformity with the principle of mutual aid the Government of Pakistan will facilitate the production and transfer to the Government of the United States, for such period of time, in such quantities and upon such terms and conditions as may be agreed upon, of raw and semi-processed materials required by the United States as a result of deficiencies or potential deficiencies in its own resources, and which may be available in Pakistan. Arrangements for

such transfers shall give due regard to reasonable requirements of Pakistan for domestic use and commercial export.

#### Article VI

In the interest of their mutual security the Government of Pakistan will co-operate with the Government of the United States in taking measures designed to control trade with nations which threaten the maintenance of world peace.

#### Article VII

1. This Agreement shall enter into force on the date of signature and will continue in force until one year after the receipt by either party of written notice of the intention of the other party to terminate it, except that the provisions of Article I, paragraphs 2 and 4, and arrangements entered into under Article I, paragraphs 3, 5 and 7 and under Article II, shall remain in force unless otherwise agreed by the two Governments.

2. The two Governments will, upon the request of either of them, consult regarding any matter relating to the application or amendment of this Agreement.

3. This Agreement shall be registered with the Secretariat of the United Nations.

Done in two copies at Karachi the 19th day of May  
one thousand nine hundred and fifty four.

For the Government  
of the  
United States of America

JOHN K. EMERSON  
Charge d'Affaires a.i.  
of the  
United States of America

For the Government  
of Pakistan

ZAFRULLAH KHAN  
Minister of Foreign  
Affairs and Commonwealth  
Relations

Source: Peter V. Curl, ed., Documents on American  
Foreign Relations, 1954 (New York, Harper  
and Brothers, 1955), pp. 379-83.

APPENDIX IITREATY OF PEACE, FRIENDSHIP AND COOPERATION  
BETWEEN THE REPUBLIC OF INDIA AND THE UNION  
OF SOVIET SOCIALIST REPUBLICS

9 AUGUST 1971

Desirous of expanding and consolidating the existing relations of sincere friendship between them,

Believing that the further development of friendship and cooperation meets the basic national interests of both the states as well as the interests of lasting peace in Asia and the world,

Determined to promote the consolidation of universal peace and security and to make steadfast efforts for the relaxation of international tensions and the final elimination of the remnants of colonialism,

Upholding their firm faith in the principles of peaceful co-existence and cooperation between states with different political and social systems,

Convinced that in the world today international problems can only be solved by cooperation and not by conflict,

Reaffirming their determination to abide by the purposes and principles of the United Nations Charter,

The Republic of India on the one side, and the Union of Soviet Socialist Republics on the other side,

Have decided to conclude the present Treaty, for which purpose the following plenipotentiaries have been appointed:



On behalf of the Republic of India; Sardar Swaran Singh,  
Minister of External Affairs,

On behalf of the Union of Soviet Socialist Republics:  
Mr. A.A. Gromyko, Minister of Foreign Affairs,

Who, having each presented their Credentials, which  
are found to be in proper form and due order,

Have agreed as follows:

#### Article I

The High Contracting Parties solemnly declare that enduring peace and friendship shall prevail between the two countries and their peoples. Each party shall respect the independence, sovereignty and territorial integrity of the other Party and refrain from interfering in the other's internal affairs. The High Contracting Parties shall continue to develop and consolidate the relations of sincere friendship, good-neighbourliness and comprehensive cooperation existing between them on the basis of the aforesaid principles as well as those of equality and mutual benefit.

#### Article II

Guided by the desire to contribute in every possible way to ensure enduring peace and security of their people, the High Contracting Parties declare their determination to continue their efforts to preserve and to strengthen peace in Asia and throughout the world, to halt the arms race and

to achieve general and complete disarmament, including both nuclear and conventional, under effective international control.

#### Article III

Guided by their loyalty to the lofty ideal of equality of all peoples and nations, irrespective of race or creed, the High Contracting Parties condemn colonialism and racialism in all forms and manifestations, and reaffirm their determination to strive for their final and complete elimination.

The High Contracting Parties shall cooperate with other states to achieve these aims and to support the just aspirations of the peoples in their struggle against colonialism and racial domination.

#### Article IV

The Republic of India respects the peace-loving policy of the Union of Soviet Socialist Republics aimed at strengthening friendship and cooperation with all nations.

The Union of Soviet Socialist Republic respects India's policy of non-alignment and reaffirms that this policy constitutes an important factor in the maintenance of universal peace and international security and in the lessening of tensions in the world.

## Article V

Deeply interested in ensuring universal peace and security, attaching great importance to their mutual cooperation in the international field for achieving those aims, the High Contracting Parties will maintain regular contacts with each other on major international problems affecting the interests of both the states by means of meetings and exchanges of views between their leading statesmen, visits by official delegations and special envoys of the two Governments, and through diplomatic channels.

## Article VI

Attaching great importance to economic, scientific and technological cooperation between them, the High Contracting Parties will continue to consolidate and expand mutually advantageous and comprehensive cooperation in these fields as well as expand trade, transport and communications between them on the basis of the principles of equality, mutual benefit and most-favoured nation treatment, subject to the existing agreements and the special arrangements with contiguous countries as specified in the Indo-Soviet Agreement of December 26, 1970.

## Article VII

The High Contracting Parties shall promote further development offices and contacts between them in the fields

of science, art, literature, education, public health, press, radio, television, cinema, tourism and sports.

#### Article VIII

In accordance with the traditional friendship established between the two countries, each of the High Contracting Parties solemnly declares that it shall not enter into or participate in any military alliance directed against the other Party.

Each High Contracting Party undertakes to abstain from any aggression against the other Party and to prevent the use of its territory for the commission of any act which might inflict military damage on the other High Contracting Party.

#### Article IX

Each High Contracting Party undertakes to abstain from providing any assistance to any third party that engages in armed conflict with the other Party, In the event of either Party being subjected to an attack or a threat thereof, the High Contracting Parties shall immediately enter into mutual consultations in order to remove such threat and to take appropriate effective measures to ensure peace and the security of their countries.

#### Article X

Each High Contracting Party solemnly declares that it shall not enter into any obligation, secret or public, with

one or more states, which is incompatible with this Treaty. Each High Contracting Party declares that no obligation exists, nor shall any obligation be entered into, between itself and any other state or states, which might cause military damage to the other Party.

#### Article XI

This Treaty is concluded for the duration of twenty years and will be automatically extended to each successive period of five years unless either High Contracting Party declares its desire to terminate it by giving notice to the other High Contracting Party twelve months prior to the expiration of the Treaty. The Treaty will be subject to ratification and will come into force on the date of the exchange of Instruments of Ratification which will take place in Moscow within one month of the signing of this Treaty.

#### Article XII

Any difference of interpretation of any Article or Articles of this Treaty which may arise between the High Contracting Parties will be settled bilaterally by peaceful means in a spirit of mutual respect and understanding.

The said Plenipotentiaries have signed the present Treaty in Hindi, Russian and English, all texts being equally authentic and have affixed thereto their seals.

Done in New Delhi on the ninth day of August in the year one thousand nine hundred and seventy-one.

On behalf of the Republic of India: (Sd.) Swaran Singh,  
Minister of External Affairs.

On behalf of the Union of Soviet Socialist Republics: (Sd.)  
A.A. Gromyko, Minister of Foreign Affairs.

Source: Foreign Affairs Records, August 1971.

APPENDIX III

THE MINISTER OF EXTERNAL AFFAIRS SHRI  
Y.B. CHAVAN'S SPEECH IN THE LOK SABHA  
18 February, 1975

Government of India has received reports that the United States is considering the possibility of resuming arms supplies to Pakistan. Press despatches from Washington and Islamabad have also hinted that the 10 year old American arms embargo may be lifted and that the United States may supply sophisticated weapons to Pakistan. According to our information, this question was also discussed during Prime Minister Bhutto's official visit to Washington on 5th and 6th February although no decision has been announced.

The government of India views the supply of American weapons to Pakistan with grave concern as it will have serious repercussions on the peace and stability of the sub-continent. We have taken up this matter with the U.S. Government at the highest level and have brought to its attention the consequences of the reversal of their present policy on the process of normalisation on the sub-continent. On 28 January, I addressed a letter to the Secretary of State on this subject and conveyed to him our deep concern about the harmful effects of arms supplies to Pakistan on the peace of this region as well as on Indo-American relations. I particularly emphasised that Pakistan's fears about a military threat from India are wholly fanciful and

unwarranted as both India and Pakistan are committed in the Simla Agreement to work for friendly and harmonious relationship and the establishment of durable peace in the sub-continent and to settle all their differences through peaceful means.

It has always been India's policy to promote peace, stability, cooperation and good-neighbourly relations among the countries of this area on the basis of equality, sovereignty and respect for independence and territorial integrity of all States. Despite the unfortunate past, we have made special efforts to bring about normalisation and reconciliation with Pakistan. Thanks to these efforts, we have succeeded to some extent in improving relations between the two countries in spite of the slow progress in the implementation of the Simla Agreement. These hopeful trends will be jeopardised - and the promise of cooperation replaced by the spectre of confrontation - by an American decision to induct sophisticated weapons into the sub-continent. It will not only create new tensions between India and Pakistan but also revive old misgivings about the United States role in the region.

In recent months, both India and the United States have made sincere efforts to improve their relations. The Secretary of State himself stated while in India last year that the United States does not wish to encourage an arms



race in the sub-continent. In view of the past history of the Indo-American relations, it is our earnest hope that the United States will carefully consider all implications its decision to supply weapons to Pakistan will have on the relations between our two countries. We also trust that the United States Government will not reverse its present policy of non-induction of weapons into the sub-continent as this could be in the interests not of the United States, India, Pakistan, or peace of this region.

Source: India, Lok Sabha, Debates, 1975.

APPENDIX IVTHE MINISTER OF EXTERNAL AFFAIRS SHRI  
Y.B. CHAVAN'S SPEECH IN THE RAJYA SABHA  
10 March, 1975

Mr. Vice-Chairman, Sir, I am indeed grateful to hon. Members for giving me this second opportunity to discuss and express my views on this very important debate that is going on in the country about the arms supply to Pakistan by the USA. Many Members have participated in it and different shades of national opinion from anxiety, concern, disappointment and regret to resentment, have been expressed. I see all shades of opinion expressed in this debate. And it is very heartening to see shades - Right, Centre and Left - are completely united in rejecting this policy, in disapproving of the policy decision taken by the United States in supplying arms - or in lifting the embargo on arms supply - to Pakistan. I would not like to repeat the whole thing again but I would like to give some background as to how it is that the whole situation came about. We know the history of the last few years, nearly ten years. At one time, America on its own decided that giving this sort of lethal arms either to India or Pakistan was not going to help peaceful conditions in the sub-continent; it was not that they completely stopped the supply of arms. Some are non-lethal and some lethal weapons. The decision was that they would not give lethal weapons. But there was something in that system of arms

supply by the imperial powers. Sometimes there are some compulsions which force them to make some sort of an exception because in 1970, they made some 'one-time exception' which ultimately resulted, as we know, in further belligerency and militant attitude which resulted in Pakistan's armed aggression against India. Admittedly, there was that tilt. Admittedly, there were certain positive results of what happened on the sub-continent. India emerged as a country which stood for justice, for the liberation of the oppressed people. Justice was on its side and the cause it supported was so just that it got victory. And having achieved a military victory, we took a series of initiatives and started a new process, on our own, of detente on the sub-continent, of understanding that without the interference of any of the big powers, it is better that we take our own initiatives, be liberal, be very generous, and try to remove the tensions in this area, because that is the only way of bringing about peace in the world. What exactly is detente process? Detente process is a position which would remove areas of tension, understanding the necessity and the compulsions of co-existence - peaceful co-existence - between two powers. This was exactly what was happening, and actually it was our intention. It was, I think, the necessity of the time to see that the forces which interfered with this process of normalisation of relationship should also be

encouraged to support this process, that powers which by interference always created this sort of an imbalance should be encouraged to support this policy. So, the genesis of the discussion with Dr. Kissinger, really speaking, arose out of this objective condition and of certain historical necessity, to which there was some response from the other side. That does not mean that we were deceived or somebody was trying to work out the theory of deception I am saying, at least we were not deceived.

I can assure not only Mr. Bhupesh Gupta, but also every other Member of this House that none of us was deceived. We know. I am not disclosing the discussions because that is not done. But I would like to tell this honourable House and the country that when we decided to sit down and discuss with them, we really wanted to find out what are the perceptions, intentions, of the Americans in Asia, in the sub-continent, in South East Asia, in the Gulf countries. What are their intentions about certain positive processes that they have started in this part of the world? What exactly is the significance of the understanding of the new type of relationship that was built in Asia with China? Is it an understanding between U.S. and China? If it is then it is well and good because we wanted their relations to be good. But we certainly wanted to know whether it is going to be at the cost of

any other nation, particularly we in this country. So we started those discussions. We wanted to understand as to what exactly is the position. Now I think it is a known fact that what Mr. Kissinger told us, what he made in his public statements we have also let it known. Anyhow, it seems that they are taking wrong decisions at wrong times or possibly right decisions at wrong times. I do not know what it is. But they decided, and I think it is a good thing that they decided before I went there; otherwise my going to Washington immediately after the decision was taken, would have given a greater sense of disappointment or greater sense of being cheated - I am glad to use a wrong word rather that way. Therefore, in that sense we are not deceived.

The point is what are we to do. We still want mature relationship with all the countries. We want mature relationship with the U.S.A. We want mature realistic relationship with all the countries. What we are trying to say is not merely a verbal protest, as my hon'ble friend, Mr. Subramanian Swamy, is afraid to say. What we are trying to show is the fallacies of the policies that have been followed by these big powers. The arguments that they have given in support of what they have done are untenable invalid ....

Well, this is the way we use a word, and their incre-

dibility is likely to be accepted in this country. And this is what Mr. T.N. Kaul says. Now let us take it argument by argument. They say, "Here is our ally. And we are in a very curious position. Here is our ally to whom the other countries are giving weapons". And then he saw that they did not give weapons. This is a rather very absurd argument that has been made for the last so many years by American statesmen, from President Eisenhower down to Mr. Kissinger, the present administrator. Then they say that they wanted us to be their friends. Well these two things look rather contradictory.

They are also having friendship with China and they are also having detente. They want friendship with Russia and they also want friendship with India. Thus they want Pakistan as an ally. Ally against whom? They are very intelligent people and I am entitled to ask them the question. You want Pakistan as your ally, but ally against whom ....

The other point is that he openly said that they are not interested and they will not encourage arms race. Now they lift the embargo and tell us that they would like to supply arms to Pakistan in the interest of security to keep the strategic balance. Is it not encouraging the arm race? If not, what is it? Either your words have no meaning or those people who have and those people who listen do not understand. I really do not understand.

It is very difficult. They said Pakistan feels insecure. Well, that is the subjective feeling of a country. But you must put some objective test for it. As a matter of fact, after the liberation of Bangladesh, Pakistan may have contracted in its territory, but Pakistan has become more compact from the security point of view. From the point of view of arms strength from the point of view of man-power Pakistan is more powerful today than it was in 1971. It is a fact.

Source: India, Rajya Sabha, Debates, 1975.

APPENDIX VTHE TEXT OF THE SAFEGUARDS AGREEMENT OF  
18 MARCH 1976 BETWEEN THE AGENCY, FRANCE  
AND PAKISTAN

Agreement of 18 March 1976 between the International Atomic Energy Agency, the Government of the French Republic and the Government of the Islamic Republic of Pakistan for the application of safeguards.

WHEREAS the Government of the French Republic and the Government of the Islamic Republic of Pakistan have concluded an Agreement for the Construction of an Irradiated Fuel Reprocessing Plant in Pakistan (hereinafter referred to as "the Plant") and for the supply of nuclear material, facilities, equipment and relevant technological information from the French Republic to the Islamic Republic of Pakistan within the framework of that Agreement.

WHEREAS the Agreement referred to above is intended exclusively for the development of the peaceful uses of nuclear energy;

WHEREAS the International Atomic Energy Agency (hereinafter referred to as "the Agency") is authorized by its Statute to apply safeguards, at the request of the parties, to any bilateral or multilateral arrangement;

WHEREAS the Government of French Republic and the Government of the Islamic Republic of Pakistan have requested the Agency to apply safeguards to the Plant and with regard



to other items transferred pursuant to the Agreement referred to above;

WHEREAS the Board of Governors of the Agency (hereinafter referred to as "the Board") has acceded to that request on 24 February 1976;

NOW THEREFORE, the Agency, the Government of the French Republic and the Government of the Islamic Republic of Pakistan hereby agree as follows:

DEFINITIONS

Article I

For the purpose of this Agreement:

- (a) "Co-operation Agreement" means the Agreement of 17 March 1976 between the Government of the French Republic and the Government of the Islamic Republic of Pakistan for the Construction of an Irradiated Fuel Reprocessing Plant, as may be amended;
- (b) "Safeguards Document" means Agency document INFCI-RC/66/Rev. 2;
- (c) "Inspectors Documents" means the Annex to Agency document GC(V)/INF/39;
- (d) "Nuclear material" means any source or special fissionable material as defined in Article XX of the Agency's Statute;
- (e) "Nuclear facility" means:
  - (i) A principal nuclear facility as defined in

paragraph 78 of the Safeguards Document as well as critical facility or a separate storage installation; or

(ii) Any location where nuclear material in amounts greater than one effective kilogram in customarily used;

(f) "Reprocessing facility" means any facility for the separation of irradiated nuclear material and fission products;

(g) "Specified equipment for reprocessing" means any equipment which is especially designed or prepared for the processing of irradiated nuclear material;

(h) "Relevant technological information" means information designated as such by the Government of the State from which this information is transferred pursuant to the Cooperation Agreement, on the design, construction or operation of a reprocessing facility or specified equipment for reprocessing, or on the preparation, use or processing of nuclear material, in all forms in which such information can be transferred, but excepting technological information available to the public.

#### UNDERTAKINGS BY THE GOVERNMENTS AND THE AGENCY

##### Article 2

The Government of the Islamic Republic of Pakistan undertakes that none of the following items shall be used for

the manufacture of any nuclear weapon or to further any other military purpose or for the manufacture of any other nuclear explosive device:

(a) The Plant;

(b) Any nuclear material or specified equipment for reprocessing transferred from the French Republic to the Islamic Republic of Pakistan pursuant to the Co-operation Agreement;

(c) Any other reprocessing facility or specified equipment for reprocessing which is designed, constructed or operated on the basis of or by the use of relevant technological information transferred from the French Republic;

(d) Special fissionable or other nuclear material, including subsequent generations of special fissionable material, which has been produced, processed or used on the basis of or by the use of any item referred to in this Article or any relevant technological information transferred from the French Republic.

### Article 3

The Agency undertakes to apply its safeguards system to the items referred to in Article 2 so as to ensure as far as it is able that no such item is used for the manufacture of any other nuclear weapon or to further any other military purpose or for the manufacture of any other nuclear explosive device.

**Article 4**

The Government of the French Republic and the Government of the Islamic Republic of Pakistan undertake to facilitate the application of safeguards provided for in this Agreement and to co-operate with the Agency and with each other to that end.

**INVENTORIES AND NOTIFICATIONS****Article 5**

(a) The Government of the French Republic and the government of the Islamic Republic of Pakistan shall jointly notify the Agency of:

- (i) The construction of the Plant; and
- (ii) Any transfer pursuant to the Co-operation Agreement from the French Republic to the Islamic Republic of Pakistan of nuclear material or specified equipment for reprocessing.

(b) The Government of the Islamic Republic of Pakistan shall therefore notify the Agency of any other nuclear facility which is required to be listed in the Inventory in accordance with Article 6(b).

The Government of the Islamic Republic of Pakistan or the Government of the French Republic; after consultation with the Government of the Islamic Republic of Pakistan, shall inform the Agency of any other reprocessing facility and specified equipment for reprocessing in the Islamic Republic of

Pakistan which is designed, constructed or operated on the basis of or by the use of relevant technological information transferred from the French Republic. Without limiting the generality of the preceding sentence, any reprocessing facility using solvent extraction, or specified equipment for reprocessing designed, constructed or operated in the Islamic Republic of Pakistan within a period to be agreed upon between the Government of the French Republic and the Government of the Islamic Republic of Pakistan and to be communicated to the Agency, shall be deemed to be designed, constructed or operated on the basis of or by the use of relevant technological information transferred from the French Republic.

#### Article 6

The Agency shall establish and maintain an Inventory with respect to the Islamic Republic of Pakistan, which shall be divided into three parts:

- (a) The Main part of the Inventory shall list:
  - (i) The Plant and any specified equipment for reprocessing transferred from the French Republic pursuant to the cooperation Agreement;
  - (ii) Any other reprocessing facility and specified equipment for reprocessing in the Islamic Republic of Pakistan which is designed, constructed or operated on the basis of or by the use of

relevant technological information transferred from the French Republic;

- (iii) Nuclear material transferred from the French Republic pursuant to the Co-operation Agreement or material substituted therefor in accordance with paragraph 26(d) of the Safeguards Document;
- (iv) Special fissionable material produced in the Islamic Republic of Pakistan, referred to in Article 8 or any material substituted therefor in accordance with paragraph 25 or 26(d) of the Safeguards Document; and
- (v) Nuclear material which is processed or used in or in connection with any of the items listed above, or any nuclear material substituted therefor in accordance with paragraph 25 or 26(d) of the Safeguards Document.

(b) The Subsidiary Part of the Inventory shall list:

- (i) Any nuclear facility while it contains any specified equipment for reprocessing listed in the Main Part of the Inventory; and
- (ii) Any nuclear facility while it contains, uses, fabricates or processes any nuclear material listed in the Main Part of the Inventory.

(c) The Inactive Part of the Inventory shall list any nuclear material which would normally be listed in the Main Part of the Inventory but which is not so listed because:

- (i) It is exempt from safeguards in accordance with the provisions of paragraph 21, 22 or 23 of the Safeguards Document; or
- (ii) Safeguards thereon are suspended in accordance with the provisions of paragraphs 24 or 25 of the Safeguards Document.

2. The Agency shall send copies of the Inventory to both Governments every twelve months and also at any other times specified by either Government in a request communicated to the Agency at least two weeks in advance.

#### Article 7

The two Governments shall notify the Agency of the construction of the Plant in accordance with arrangements to be agreed upon by the Parties to this Agreement. The other notifications by the two Governments provided for in Article 5(a) shall normally be sent to the Agency not more than two weeks after the nuclear material or specified equipment for reprocessing arrives in the Islamic Republic of Pakistan, except that shipments of source material in quantities not exceeding one metric ton shall not be subject to the two-week notification requirements but shall be reported to the Agency at intervals not exceeding three months. The notification provided for in Article 5(c) shall normally be made at as early a stage as possible. All notifications under Article 5 shall include, to the extent relevant, the nuclear and chemical composition, the

physical form and the quantity of the material, the type and capacity of the specified equipment for reprocessing or nuclear facility involved, the date of shipment, the date of receipt, the identity of the consignor and consignee, and any other relevant information. The two Governments also undertake to give the Agency as much advance notice as possible of the transfer of any large quantity of nuclear material or specified equipment for reprocessing.

#### Article 8

The Government of the Islamic Republic of Pakistan shall notify the Agency, by means of its reports pursuant to the Safeguard Document, of any special fissionable material produced during the period covered by the report in or by the use of any of the items described in Article 6(a) or (b). Upon receipt by the Agency of the notification, such produced material shall be listed in the Main Part of the Inventory. The Agency may verify the calculations of the amounts of the said produced material. Appropriate adjustment in the Inventory shall be made by agreement of the Agency and the Government of the Islamic Republic of Pakistan and, pending final agreement of the Agency and that Government, the Agency's calculations shall be used.

#### Article 9

The Government of the Islamic Republic of Pakistan



shall notify the Agency, by means of its report pursuant to the Safeguards Document, of any nuclear material processed or used during the period covered by the report and accordingly required to be listed in the Main Part of the inventory pursuant to Article 6(a). Upon receipt by the Agency of the notification, such nuclear material shall be listed in the Main Part of the Inventory.

#### Article 10

(a) The two Governments shall jointly notify the Agency of any transfer to the French Republic of any item listed in the Main Part of the Inventory. Upon receipt in the French Republic such item shall be deleted from the Inventory.

(b) If special fissionable material referred to in Article 6(a)(iv) is to be transferred to the French Republic such transfer may take place only after the Agency has made arrangements to safeguard such material.

#### Article 11

1. The two Governments shall jointly notify the Agency of any transfer of any item listed in the Main Part of the Inventory to a receipt which is not under the jurisdiction of either of the two Governments. Such item may be transferred and shall thereupon be deleted from the Inventory provided the arrangements have been made by the Agency to safeguard such item.

2. Relevant technological information transferred from the French Republic to the Islamic Republic of Pakistan may be transferred to a recipient which is not under the jurisdiction of either of the two Governments provided that arrangements have been made by the Agency to apply safeguards in connection with the use of such information.

#### Article 12

Whenever the Government of the Islamic Republic of Pakistan intends to transfer nuclear material or specified equipment for reprocessing listed in the Main Part of the Inventory, to a nuclear facility within its jurisdiction which is not yet listed in the Inventory, any notification required pursuant to Article 5(b) shall be made to the Agency before such transfer is effected. The Government may make the transfer to that nuclear facility only after the Agency has confirmed that it has made arrangements to safeguard the item in question.

#### Article 13

The notifications provided for in Articles 10, 11 and 12 shall be sent to the Agency sufficiently in advance to enable the Agency to make any arrangements required by these Articles before the transfer is effected. The Agency shall take any necessary action promptly. The contents of these notifications shall conform, as far as appropriate, to the requirements of Article 7.

**Article 14**

The Agency shall exempt from safeguards nuclear material under the conditions specified in paragraphs 21, 22 or 23 of the Safeguards Document and shall suspend safeguards with respect to nuclear material under the conditions specified in paragraph 24 or 25 of the Safeguards Document. The Government of the Islamic Republic of Pakistan and the Agency shall agree on the conditions for exemption or suspension of safeguards on other items.

**Article 15**

Nuclear material shall be deleted from the Inventory and Agency safeguards thereon shall be terminated as provided in paragraphs 26 and 27 of the Safeguards Document. The Plant, any other reprocessing facility or specified equipment for reprocessing listed in the Main Part of the Inventory shall be deleted from the Inventory and safeguards thereon shall be terminated, after the Agency has determined that the item concerned is no longer usable for any nuclear activity relevant from the point of view of safeguards or has become practicably irrecoverable. The Agency shall also terminate safeguards under this Agreement with respect to those items deleted from the Inventory as provided in Articles 10 and 11.

**SAFEGUARDS PROCEDURES****Article 16**

In applying safeguards, the Agency shall observe the

principles set forth in paragraphs 9 through 14 of the Safeguards Document.

#### Article 17

The safeguard procedures to be applied by the Agency to the items listed in the Inventory are those specified in the Safeguards Document, as well as such additional procedures as result from technological developments, including containment and surveillance measures, as may be agreed between the Agency and the Government of the Islamic Republic of Pakistan. The Agency shall make subsidiary arrangement with that Government concerning the implementation of safeguards procedures which shall include any necessary arrangements for the application of safeguards to specified equipment for reprocessing. The Agency shall have the right to request the information referred to in paragraph 41 of the Safeguards Document and to make the inspections referred to in paragraphs 51 and 52 of the Safeguards Document.

#### Article 18

If the Board determines that there has been any non-compliance with this Agreement, the Board shall call upon the Government concerned to remedy such non-compliance forth-with, and shall make such reports as it deems appropriate. In the event of failure by the Government concerned to take fully corrective action within a reasonable time,

the Board may take any other measures provided for in Article XII.C of the Statute. The Agency shall promptly notify both Governments in the event of any determination by the Board pursuant to the present Article.

#### AGENCY INSPECTORS

##### Article 19

Agency inspectors performing functions pursuant to this Agreement shall be governed by paragraphs 1 through 7 and 9, 10, 12 and 14 of the Inspectors Document. However, paragraph 4 of the Inspectors Document shall not apply with regard to any nuclear facility or to nuclear material to which the Agency has access at all times. The actual procedures to implement paragraph 50 of the Safeguards Document shall be agreed between the Agency and the Government of the Islamic Republic of Pakistan before the nuclear facility or material is listed in the Inventory.

##### Article 20

The Government of the Islamic Republic of Pakistan shall apply the relevant provisions of the Agreement on the Privileges and immunities of the Agency to Agency inspectors performing functions under this Agreement and to any property of the Agency used by them.

#### FINANCE

##### Article 21

Each Party shall bear any expense incurred in the implemen-



tation of its responsibilities under this Agreement. The Agency shall reimburse the Government concerned for any special expenses, including those referred to in paragraph 6 of the Inspectors Document, incurred by the Government or persons under its jurisdiction at the written request of the Agency, if the Government notified the Agency before the expense was incurred that reimbursement would be required. These provisions shall not prejudice the allocation of expenses attributable to a failure by a Party to comply with this Agreement.

#### Article 22

The Government of the Islamic Republic of Pakistan shall ensure that any protection against third-party liability, including any insurance or other financial security, in respect of a nuclear incident occurring in a nuclear installation under its jurisdiction shall apply to the Agency and its inspectors when carrying out their functions under this Agreement as that protection applies to nationals of the Islamic Republic of Pakistan.

#### SETTLEMENT OF DISPUTES

#### Article 23

1. Any dispute arising out of the interpretation or application of this Agreement which is not settled by negotiation or as may otherwise be agreed by the Parties concerned shall be, on the request of any of the Parties

concerned, submitted to an arbitral tribunal composed as follows:

- (a) If the dispute involves only two of the Parties to this Agreement, all three Parties agreeing that the third is not concerned, the two Parties involved shall each designate one arbitrator, and the two arbitrators so designated shall elect a third, who shall be the Chairman. If within thirty days of the request for arbitration either Party has not designated an arbitrator, either Party to the dispute may request the Secretary-General of the United Nations to appoint an arbitrator. The same procedure shall apply if within thirty days of the designation or appointment of the second arbitrator, the third arbitrator has not been elected; or
- (b) If the dispute involves all three parties to this Agreement, each Party shall designate one arbitrator, and the three arbitrators so designated shall by unanimous decision elect a fourth arbitrator, who shall be the Chairman, and a fifth arbitrator. If within thirty days of the request for arbitration any Party has not designated an arbitrator, any Party may request the Secretary-General of the United Nations to appoint the necessary number of arbitrators. The same procedure shall apply if, within thirty days of the designation or appointment of the third of the first three arbitrators, the Chairman or the fifth arbitrator has not been elected.

2. A majority of the members of the arbitral tribunal shall constitute a quorum, and all decisions shall require the concurrence of at least a majority. The arbitral procedure shall be fixed by the tribunal. The decisions of the tribunal, including all rulings concerning its constitution, procedures, jurisdiction and the division of the expenses of arbitration between the Parties shall be binding on all Parties. The remuneration of the arbitrators shall be determined on the same basis as that of ad hoc judges of the international Court of Justice.

#### Article 24

Decisions of the Board concerning the implementation of this Agreement, except such as relate only to Articles 21 and 22 shall, if they so provide, be given effect immediately by the Parties, pending the final settlement of any dispute.

#### FINAL CLAUSES

#### Article 25

The Parties shall, at the request of any one of them, consult about amending this Agreement. If the Board modifies the Safeguards Document or the scope of the safeguards system, this Agreement shall be amended if the Governments so request to take account of any or any or all such modifications. If the Board modifies the Inspectors Document, this Agreement shall be amended if the Governments so request to take account of any or all such



modifications.

Article 26

This Agreement shall enter into force upon signature by or for the Director General of the Agency and by the authorized representative of each Government.

Article 27

This Agreement shall remain in force until, in accordance with its provisions, safeguards have been terminated on all items referred to in Article 2.

Article 28

If, after this Agreement has ceased to be in force, a reprocessing facility or specified equipment for reprocessing, is designed, constructed or operated in the Islamic Republic of Pakistan on the basis of or by the use of relevant technological information transferred from the French Republic, this Agreement shall forthwith be reinstated.

Article 29

The Government of the French Republic and the Government of the Islamic Republic of Pakistan shall jointly notify the Agency of any amendment to or modification of the Co-operation Agreement.

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