The U.S.-Pakistan F-16 fiasco

BY C. CHRISTINE FAIR, FEBRUARY 3, 2011

At a recent **event on Pakistan** co-sponsored by Brookings and the U.S. Institute of Peace, several panelists cogently stressed the need for greater transparency on the parts of Washington and Islamabad as a necessary step in forging better relations.

Inevitably, the sad story of Pakistan's F-16s emerged during a panel discussion. In the early 1980s, the United States agreed to sell Pakistan F-16 fighter jets. This decision was taken when the United States worked closely with Pakistan to repel the Soviets from Afghanistan. The F-16 was the most important air platform in Pakistan's air force and it was the most likely delivery vehicle of a nuclear weapon. When nuclear proliferation-related sanctions (under the **Pressler Amendment**) came into force in 1990, **the U.S. government cancelled the sales of several F-16s**. Pakistanis routinely cite this as hard evidence of American perfidy to underscore the point that Washington is not a trustworthy ally.

With the lapse of time, many American and Pakistani interlocutors alike rehearse redacted variants of this sordid affair for various purposes. But I was dismayed when a U.S. official (speaking in his personal capacity) did so at the U.S. Institute of Peace event. He stressed, with suitable outrage, that the United States unfairly deprived Pakistan of the F-16s it purchased, demurred from reimbursing Pakistan when sanctions precluded delivery, and even charged Pakistan for the storage fees while the United States sought a third-party buyer for the planes. This particular individual has a long-standing relationship with South Asia and extensive experience in the region, which made the stylized telling all the more troublesome.

This narrative likely appealed to recreational critics of Washington and its serially failed engagements with Islamabad. But it is a disturbing and incomplete re-telling at the F-16 fiasco, the rehearsal of which does little to advance U.S.-Pakistan relations.

Better relations will require both Washington and Pakistan to confront the edifice of ossified fictions that surround and ultimately undermine this complex and strained relationship. Washington needs to aggressively combat the historical untruths that have become legendary fact as vigorously as it needs to understand the Pakistan that *is,* not the Pakistan it might *want* to be.

The trust deficit and its deceits

Pakistanis are wont to complain that the United States is a disloyal ally, using Pakistan for its purposes, then abandoning it when expedient. They lament that the United States absconded from the region when the Soviets left Afghanistan, leaving Pakistan to contend with legions of dangerous mujahideen and proliferating narcotics and small arms traffic with its own meager resources. This gives rise to a current chorus of Pakistanis who opine woefully that the United States will abandon Pakistan again when Washington's security interests change. In turn, this motivates proponents of U.S.-Pakistan relations to promise ever-more allurements to demonstrate that "this time," America will not abandon Pakistan.

Of course, Pakistan's complaints are not entirely unfounded: the United States *did* abandon the region once the Soviets withdrew from Afghanistan in 1989. Pakistanis, however, never acknowledge the enormous benefits that the country derived from its partnership with the Americans during the 1980s. Between 1979 and 1989 Pakistan received $5.6 billion (in constant*2009* dollars) in **total aid**, of which $3.5 billion was military assistance.) During this period, Pakistan developed its nuclear weapons program without penalty until 1990 while receiving enormous financial and military support from the U.S., which allowed Pakistan to improve its **capabilities** to fight India.

Most frustrating is Pakistan's refusal to acknowledge its **own role** in undermining its security by backing various Islamist militant groups in Afghanistan throughout the 1990s, including the Taliban. (Pakistanis often **claim erroneously** that the CIA created the Taliban.)

Pakistan also complains that it has been punished disproportionately relative to India for its nuclear weapons program. Pakistan correctly notes that India was the first to proliferate in South Asia with its first explosion of a **nuclear device in May 1974 (Pokhran I)**. As the revisionist and weaker state, Pakistan could hardly resist **the compulsion** to acquire nuclear weapons. The bitterest invective is reserved for the 1985 **Pressler Amendment**, which many Pakistanis wrongfully claim was written to punish Islamabad for its nuclear program.

Contrary to **Pakistanis' popular perceptions**, U.S. and **international** nonproliferation efforts in South Asia were precipitated by *India's* 1974 nuclear test as well as misgivings about the **Ford administration**'s response to India's abuse of Canadian- and U.S.-supplied civilian nuclear assistance. And, of course, the U.S. Congress was increasingly discomfited about Pakistan's acquisitions of nuclear items abroad.

In response to these varied concerns, the U.S. Congress passed two nonproliferation amendments to the 1961 Foreign Assistance Act (FAA): **the 1976 Symington Amendment and the 1977 Glenn Amendment**. Together, they prohibit U.S. military and economic assistance to countries that reject full-scope International Atomic Energy Agency (IAEA) safeguards for all nuclear facilities and materials; transfer, acquire, deliver, or receive nuclear reprocessing or enrichment technology; or explode or transfer a nuclear device. Congress, wary of Indian and Pakistani intentions, passed the **Nuclear Nonproliferation Act (NNPA) of 1978** that prohibited the sale of U.S. uranium fuel to countries that refuse "full-scope" IAEA safeguards and inspections.

"Our security policy cannot be dictated by our nonproliferation policy."

After the 1979 Soviet invasion of Afghanistan, Washington chose to subordinate its nonproliferation policies to other regional interests. According to **Steve Coll**, then-national security adviser Zbigniew Brzezinski told American president Jimmy Carter that Washington needs to secure Pakistan's support to oust the Soviets and that this will "require... more guarantees to [Pakistan], more arms aid, and, alas, a decision that our security policy cannot be dictated by our nonproliferation policy."

Despite full knowledge of Pakistan's nuclear program, **Congress added Section 620E to the FAA,** which granted the president a qualified authority to waive sanctions for six years, allowing the United States to fund and equip Pakistan for the anti-Soviet jihad. Congress next appropriated annual funds for a six-year program of economic and military aid that totaled $3.2 billion. Despite continued warnings from the U.S. about its nuclear program, Pakistan continued developing a weapons capability. Pakistan's military dictator, **Zia ul Haq, asserted** that it was Pakistan's right to do so.

In 1985, the Pressler Amendment was passed, making U.S. assistance to Pakistan conditional on an annual presidential assessment and certification that Pakistan did not have nuclear weapons.

But this legislation was not *punitive* as **Pakistanis claim** and as some historically ill-informed American commentators lament. Rather, the amendment allowed the United States to continue providing assistance to Pakistan even though other parts of the U.S. government increasingly believed that Pakistan had crossed the nuclear threshold, meriting sanctions under various U.S. laws.

Nor was Pakistan a passive observer of this congressional activity. **Husain Haqqani**, now Pakistan's ambassador to the United States, explained in 2007 that the Pressler Amendment was passed with the active involvement of Pakistan's foreign office, which was keen to resolve the emergent strategic impasse over competing U.S. nonproliferation and regional objectives on one hand and Pakistan's resolute intentions to acquire nuclear weapons on the other. He described it as a victory for Pakistan's Ministry of Foreign Affairs. It was.

In 1990, when U.S. interests in the region lapsed after the Soviet Union left Afghanistan, President George H. Bush declined to certify Pakistan, and the sanctions came into force.

However this was not a bolt out of the blue. The U.S. ambassador to Pakistan, **Ambassador Robert Oakley repeatedly made Pakistani leadership aware of the inevitable consequences of proliferation**. Pakistan's leadership made a calculated gamble.

This brings us back to the F-16s debacle. When the Pressler sanctions came into force, Pakistan was precluded from taking possession of 28 F-16s for which it had made payments until 1993, some three years *after* the sanctions commenced. **Pakistan paid the Lockheed Corp. $658 million** for the planes, and some reports suggest that Pakistan continued making payments based on Pentagon assurances that continued payments would ensure eventual delivery.

Pakistan did not get the planes and was assessed storage and maintenance costs of $50,000 per month for the planes that sat, becoming ever more obsolete, in the Arizona desert. This account is telling: Pakistan preferred to heed the roseate advice of the Pentagon over the clear lines of U.S. law.

Under threat of a Pakistani lawsuit, U.S. **president Bill Clinton resolved the issue** in late 1998. Pakistan received $464 million, mostly in cash, which was the remaining amount of the claim. Clinton also agreed to send Pakistan an additional $60 million worth of wheat. (New Zealand ultimately purchased the F-16s on a 10-year lease-purchase deal that totaled $105 million.)

Long before President George W. Bush promised to resume sales to Pakistan in **2005** as a good faith effort to restore confidence in the United States, the F-16 issue had been resolved.

Accepting responsibility

While Pakistanis prefer to characterize the F-16 fiasco as inherently unfair, the simple fact is that Pakistan's leadership made a strategic choice to develop nuclear weapons at the expense of taking ownership of the fleet of F-16s. Pakistan's leadership understood the U.S. law and its likely consequences. Pakistanis need to hold their leadership to account rather than blithely blaming Washington.

Americans also have to take responsibility. When U.S. officials rehearse only part of this story, it undermines all efforts to achieve a working bilateral relationship that is based on facts rather than fiction.

If the United States and Washington can ever re-optimize their bilateral relationship, both will have to make a concerted effort to resist rehearsing past fictions and creating new ones. Sensationalized half-truths percolate through our respective societies, foster outrage and misunderstanding, and create popular resistance to a relationship that is critical to the security interests of both states.

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