

India-US Relations during the Trump Presidency – A Study of Inputs of Indian Parliament

S. Prabhakar*

Parliament of India being the apex legislative body of the country plays a unique role in formulating the policy concerning foreign affairs of the country. Over 70 years, Indian Parliament has earned the glory of being the largest working parliamentary democracy in the world.

The founding fathers of the Constitution of India opted for a parliamentary form of Government in which Parliament is the supreme legislative body and the Executive is accountable to Parliament which exercises control over the formulation and implementation of both foreign and domestic policies. This is made evident in Clause (3) of Article 75 of the Constitution which proclaims that “the Council of Ministers shall be collectively responsible to the House of the People.”

Parliament wields enormous power in the governance of the country. The actions of government are be questioned and scrutinized by Parliament in its functioning. Certain legal provisions and methods help Indian Parliament to exercise control over foreign policy. Under Article 246 of the Indian Constitution, Parliament is empowered to legislate on all facets of foreign affairs.

Since late 1940s, Indo-US relations have evolved. When Jawaharlal Nehru, our first Prime Minister visited US on October, 1949, it was at a nascent stage. By the time our PM P.V. Narasimha Rao delivered his address to the joint sitting of Congress on May 18, 1994, we could understand that relationship between two countries is not an easy one with the background of the collapse of the Soviet Union and the end of the Cold War. Real breakthrough in the relationship between India and US started with the successful visit of Rajiv Gandhi to US in June

*S. Prabhakar is a Joint Director in Parliament of India (Lok Sabha Secretariat), New Delhi, India. He received his Ph.D. from Department of Politics and International Studies, School of Social Sciences & International Studies, Pondicherry (Central) University, Puducherry, India.
His email: sprabhakar_2000@yahoo.com

1985. The then Secretary of State, George P. Shultz remarked that the visit of Rajiv Gandhi had exceeded everything expected. By the time our PM Vajpayee visited US to address the joint session of Congress on September 14, 2000, India is of the opinion that we both have much in common and there is no clash of interests. Manmohan Singh, our PM in his speech to both Houses declared that he had arrived at an understanding with President Bush to enable civil nuclear energy cooperation.

Right from early 1950s, Parliament has been asserting itself on various issues concerning foreign affairs and foreign policy of the country. In 1962, after 165 MPs spoke on a debate on China, clamour for White Paper on Chinese aggression reverberated Parliament proceedings in 1962, Government of the day placed a White Paper on Chinese aggression in Lok Sabha on August 6, 1962. In a parliamentary democracy like India, Parliament plays an important role in the making of the public policy, which includes every policy initiative in every sphere, including the foreign affairs. Analysis of parliamentary inputs during the Trump era, in particular, and India's foreign affairs during the Trump presidency is carried out in this paper.

Parliamentary Initiatives during the Trump Era

Donald Trump tenure started in January 2017. Parliamentary inputs from 2017 onwards in the 16th Lok Sabha and much of the first year of the 17th Lok Sabha is taken up for study. During the 16th Lok Sabha, when a Member of Parliament wanted to know the status of civil nuclear cooperation with United States and other countries, the response of the Modi Government was that this agreement was in different stages of implementation. Government had also stated that there is no proposal to review the 123 Nuclear Agreement with the USA.¹

One of the main reasons for delay in implementation of Indo-US Nuclear Deal is the liability in case of a nuclear accident. This issue has been clarified by the M.J. Akbar, Minister of the State in the Ministry of External Affairs, Government of India when Vincent H Pala in the 16th Lok Sabha wanted to know whether Government has ratified the Convention on Supplementary Compensation for Nuclear Damages (CSC) which requires India to declare that its national law is in compliance with the annexe to the convention, and whether India's domestic law will prevail over CSC in case of a nuclear accident and in case of a conflict over CSC and the Indian law and details on compensation for nuclear damages, Government responded by stated

S. Prabhakar

that India ratified the Convention on Supplementary Compensation for Nuclear Damage (CSC) on 4 February 2016.²

One can be optimistic about the smooth functioning of the ensuing 17th Lok Sabha when various facets of foreign policy are debated and discussed in a smooth environment and the Demands of the Ministry of External Affairs are taken up for discussion which pave way for the Members of the Parliament and the Government to satisfy each other as to what is transpiring in the realm of foreign policy initiatives.

Apart from the inputs and initiatives undertaken by the Members of Parliament from wide spectrum of parties, we also get to see the major role is played by the Committee System in Parliament. The puts generated in the Committee meetings are of great significance to the Government of the day, which culminate in accepting the observations/recommendations in the Reports of the Committee.

Parliamentary Standing Committee on External Affairs

On various issues, during the Parliament Sessions, disruptions do take place. In the 16th Lok Sabha too, Lok Sabha Speaker in her valedictory address on February 13, 2019, stated that though Lok Sabha held its sittings for more than 1612 hrs, a total of 422 hours and 19 minutes were lost due to interruptions in the House.³ Here, one can find solace in the fact that Committee System since its inception has been contributed immensely through its deliberations and its Reports. Committees play a significant role in ensuring legislative oversight over the Executive. As per Direction 73A of the Directions by Speaker, Lok Sabha (Lower House of Indian Parliament), Ministers have to make a Statement regarding the status of implementation of the recommendations contained in the Reports of the Standing Committee, which are tabled on the floor of Lok Sabha. A six months period has been prescribed for the Government to make the Statement. Parliament is kept in the know about the implementation status of Observations/Recommendations contained in the Reports of the Parliamentary Committees.

On March 15, 2017, Minister of External Affairs made a statement regarding recent incidents of attack on Members of Indian diaspora in the United States of America. In all, during the 5 years of 16th Lok Sabha, different Committees presented 730 Reports and the Departmental Standing Committee on External Affairs presented 25 Reports.

In the 17th Lok Sabha, on 4th November, 2019, Parliament Standing Committee on External Affairs took evidence of representatives of Ministry of External Affairs on the Demands for Grants of the Ministry of External Affairs for 2019-20. On 18th November, 2019, Committee was by briefed by the Ministry of External Affairs on 'Examination of Registration of Marriage of Non-Resident Indian Bill, 2019. This Bill was referred to the Committee for a detailed discussion. On 16th January, 2020, Committee was by briefed by the Ministry of External Affairs, apart from other Ministries like Defence, Home Affairs, Shipping and Law on 'Anti-Maritime Piracy Bill, 2019. This Bill too was referred to the Committee for a detailed discussion. On 27th February, 2020, Parliament Standing Committee on External Affairs took evidence of representatives of Ministry of External Affairs on the Demands for Grants of the Ministry of External Affairs for 2020-21.⁴ So far three Reports have been presented by the Committee. Two on the Demands for Grants of the Ministry of External Affairs and one on Registration of Marriage of Non-Resident Indian Bill, 2019.⁵

There is an absolute necessity to go through the Report of the Committee to know in minutest detail as to how the Ministry of External Affairs is functioning and how Parliament is ensuring accountability of the Executive while taking evidence of the officials of the Ministry of External Affairs.

Report of the Departmentally Related Standing Committee on External Affairs

Each report of the Parliamentary Standing Committee contains composition of the Committee, introduction, status of recommendations/observations of the Committee, minutes of the sittings, and analysis of Action Taken by the Government on the recommendations/observations of the Committee. Once the Committee prepares the Report after going through the entire proceedings of the evidence by the officials of the Ministry of External Affairs and decides its presentation to Parliament. In the 16th Lok Sabha, the Twenty-Fourth Report on action taken by the Government on the Observations/Recommendations contained in the Twenty-First Report of the Committee on Demands for Grants of the Ministry of External Affairs for the year 2018-19 was presented to Parliament on 9 March, 2018. As is customary, Ministry prepares the Action Taken Replies on all the Observations/Recommendations contained in the Report and the same were received by the Committee on 7 December, 2018 (English version) and 3 January, 2019 (Hindi version).⁶ After analyzing the report in

S. Prabhakar

depth, then, the Committee considers and adopts this Report on action taken at its sitting.

To be precise, out of 46 observations/recommendations, a total of 28 were accepted by the Government, which is 68.86 per cent; on one observation/ recommendation. Committee do not desire to pursue in view of Government's reply, which is 2.17 per cent; four observations/recommendations in respect of which replies of Government have not been accepted by the Committee and require reiteration, which is 8.69 per cent; and 13 observations/recommendations in respect of which final replies of Government are still awaited is 4, which is 28.26 per cent.⁷ This clearly shows the importance the Government pays to observations/recommendations of the External Affairs Standing Committee.

Recommendation No.1 of this Report states, "Despite persistent written/oral reminders and repeated Recommendations in previous Reports of the Committee, Statements under Direction 73A of Directions by Speaker, Lok Sabha in context of the Reports of the Committee were piling up, which was not a happy augury." While emphasizing the significance of legislative oversight over the Executive, the Committee had urged the Ministry to strictly adhere to timelines for making Statements by the Minister under Direction 73A of the Directions by Speaker, Lok Sabha.⁸ While expressing happiness to learn that the Minister of External Affairs has taken a serious view of this matter and made Statements on the status of implementation of Observations/Recommendations contained in seven pending Reports, it urged the Ministry to strictly comply with Statements under Direction 73A of Directions by the Speaker, Lok Sabha, in context of all the Reports that are presented to the Parliament and expressed its hopefulness that the Ministry would ensure that the Statements with regard to the pending Reports are made during the ongoing budget session positively.

Indo-US relations during the 17th Lok Sabha throws up an interesting read. Indo-US relationship reached the high point when Barack Obama visited India in January 2015 which resulted in establishment of the Strategic & Commercial Dialogue, covering a wide range of political and economic issues. Mutual trade between two countries has increased from \$97 billion in 2013 to \$115 billion in 2016⁹. With the exit of Obama, there was immense anticipation as to how India would steer through with the new US dispensation. Before we analyse the relationship and rapport between Donald Trump and Narendra Modi since January 2017 when Trump took over the reins of office, we need to know the relationship between Modi and Obama a little bit.

Modi-Trump Era 2017-2020

Early 2017, when Donald Trump assumed office, there was an eagerness to know how mercurial Trump would deal with India's Narendra Modi. World thinks that both are of same nature. But they could hit it off well right from word go. Their chemistry helped both the countries to forge ahead in different fields. Trump believes in 'America First', which C. Raja Mohan, foreign affairs expert, views as 'engaging in inward looking US'. Modi have "Make in India" and 'Digital India'. There is a need to find a fine balance between these two varying narratives, rather contradictory, and shape the terms of a new relationship with US which would favour both the countries in a multi-power world. It is going to be a Herculean task for both the leaders as we could see so far in 2020, particularly during Covid-19.

It would not be an exaggeration to state that good rapport between Obama and Modi helped in furthering and strengthening Indo-US relationship to a new level. When Donald Trump took over the reins of US, Modi could manage the same bonhomie extended to Trump. Though there were issues to be resolved.

On March 3, 2017, the US announced that processing of H-1B visa petitions will be temporarily suspended beginning on April 3. US under different Presidents have been extending its support for India's permanent membership on the UN Security Council. India has been accorded in 2016 by Obama administration legal status as a major defence partner of the USA. We have been advocating for upgrading our representation at the World Bank, IMF and Asia Pacific Economic Cooperation (APEC).¹⁰ In the very first year, Modi and Trump had asked Islamabad to "ensure that its territory is not used to launch terrorist attacks on other countries".¹¹ How far US Pakistan bashing would be of any help in reducing skirmishes from across the border is anybody's guess? Has India gained during Modi's first visit to US? Going by the developments during the visit, one can presumably say yes. Ahead of his meeting with Trump, the US cleared the sale of 22 unmanned Guardian drones to India and an estimated \$2-3 billion deal, which is being termed as a 'game changer' During the meeting it was decided to make measures to strengthen their partnership in the Indo-Pacific region. It is to be noted that US's Pacific strategy has been renamed the Indo-Pacific strategy in India's honour.

When US decided to create two Under-Secretary posts in the Department of Defence, it was hoped that the same would lead to strengthening of defence ties with India. Newly established 2+2 format of the defence

and foreign ministers from each side, which is touted to be an annual feature, would go a long way in furthering our strategic and commercial dialogue. It is considered as a step forward or a step in the right direction but it is not a grand leap, as opined by K.C. Singh, former secretary in the ministry of external affairs, government of India.

Administration of Trump telling the US Congress about its strong support to the sale to India of F-18 and F-16 fighter planes, built by American companies Boeing and Lockheed Martin respectively, which have offered to assemble these planes in India, is a much-awaited development. This would undoubtedly strengthen our military arsenal when we are sandwiched between two volatile partners creating nuisance all the time.¹²

In September, 2017, both the countries discussed terrorism and security cooperation, when Indian Foreign Minister Sushma Swaraj raised H-1B visa issue with Rex Tillerson, US Secretary of State in a meeting in New York. Later in the day, a Pentagon statement stated that US views India as a valued and influential partner, with broad mutual interests extending well beyond South Asia.¹³ US taking direct aim at China's Belt Road Initiative, echoing Indian arguments about its sovereignty is a welcome measure.

In the New Security Strategy (NSS) which was announced in November, 2017, it was mentioned that the US welcome India's emergence as a leading global power and stronger strategic and defence partner. It is to be noted that 2017 also saw a shipment of American crude oil arriving in India, marking the first US oil export to India in more than four decades.¹⁴ To show that our relationships and interests are increasingly converging, we can quote Trump, who declared that India an ally, China a threat. In the midst of good news, H1-B visa issue is still lingering on as Trump called for stricter norms for issuance of H1-B visas, which are largely availed of by Indian IT firms.¹⁵

It is a fact that in spite of India being designated a major defence partner of US in 2016, and US Senate passing \$716 billion bill seeking enhanced defence ties with India, no transfer of American defence technology for making major military platforms in India has actual taken place. Of course, there has been a marked convergence on areas of terrorism and Pakistan, efforts for peace in war-torn Afghanistan to name a few. At the same time, there are areas of divergence on trade, tariffs and visa regimes, sanctions on Iran and Russia, and Climate Change. US withdrew itself from the Paris accord on climate change, on which India's commitment is steadfast. India has traditional relationship with

India-US Relations during the Trump Presidency

Iran and Russia. In the region, Russia and Iran play an important place in India's geopolitical calculations. America is pushing India to break this relationship. Russia has been supplying our defence requirements since 1960s. Countering America's Adversaries Through Sanctions Act (CAATSA) would affect our new purchases, joint ventures and acquisition of spare parts and components. Bill amending the existing law – CAATSA – is intended at preventing US sanctions on countries like India is a welcome measure.

Repeated attempts by US President Donald Trump to mediate on Kashmir have become an embarrassment to India, particularly when he claimed that Modi had asked him to mediate. India is against third party intervention on Kashmir is a foregone conclusion as it is a bilateral issue. Jaishankar, Foreign Minister has assured Lok Sabha categorically on 23rd July, 2019 no such request has been made by the Prime Minister to the US President. He also reiterated that it has been India's consistent position that all outstanding issues with Pakistan are discussed only bilaterally and this continues to be the case. He further underlined that any engagement with Pakistan would require an end to cross-border terrorism.¹⁶

During the visit of Modi in 2019, an important item on India's agenda was to promote energy cooperation by investments and imports of natural gas from the US. After PM Modi's visit to US in 2019, the visit of Trump was anticipated. To what extent his visit boosted India's prospects in business is to be analysed. By the way, Modi and Trump have met seven times before this event. A very successful joint address of Trump and Modi at Motera Stadium in Ahmedabad augurs well for our relationship. Generally, it is believed that Trump's visit to India in February 2020 has benefitted Indo-US strategic partnership. US President has stated that his historic first official visit to India in February has reaffirmed the commitment of the two countries to build a comprehensive global strategic partnership grounded in shared interests and common purpose.¹⁷

Post-Covid, it is assumed by the foreign policy experts that China would not accede to a big space in the world order which it is going to dominate.¹⁸ G. Parthasarathy is of the opinion PM Modi has handled the diplomatic crisis following the coronavirus challenge skillfully and that India played a constructive role in persuading Saudi Arabia to convene both a summit and a meeting of health ministers of G20 — the most representative global economic grouping.¹⁹ With the equation between Trump and Modi is growing since Trump took over, one can only hope that strategic relationship in ever changing geopolitical

S. Prabhakar

narrative would steer clear of the impending problems that is in store in future keeping in view China's predicament after Corona.

Modi's engagement with Indian Diaspora in US during his visits helps him in furthering his popularity with his voters back home. India has the world's largest Diaspora. India receives about 17.5 million. According to the Global Migration Report of 2020, India receives the highest remittance of \$78.6 billion from Indians living abroad.

Way Ahead

US has been extending its support to India in the recent past. For example, during Doklam in 2017, after the Pulwama attack in 2019, and its repeated endorsement of its support for India's permanent seat in the United Nations Security Council and the Financial Action Task Force. A host of other developments including the 2+2 mechanism in place is an indication to that end. Nevertheless, foreign affairs experts are of the opinion that Indo-US relationship is under-achieving. One foreign secretary termed the recent visit of Trump as a half-full diplomatic glass.

While pursuing greater engagement with the US, India must be careful of its strategic consequences. Both are vibrant democracies. Democracies flourish when people are empowered. No country, least of all a democracy like India, can tread on sustainable growth without providing jobs to the teeming millions. India has faced slow economy for quite sometime and unemployment is at 45 year high. It is said that defence and energy cooperation should be the two major pillars on which the future story of Indo-US trade relations should stand. India wants greater market access in the US for its agricultural products and services. More efforts should be made in this direction.

In a scenario where US itself is withdrawing or forfeiting its place in the world arena, India has an onerous task at hand to checkmate an expansionist China. China rushing to replace the US as the sole superpower, India need to play a balancing role in not only asserting itself rightful place being the largest democracy and a big pie in the huge world market but also be ready to take on Chinese maneuvers post Covid. Though future looks uncertain and almost all countries are severely affected, India should strive hard to face the impending Chinese might and challenge in the region.

Though US standing in the world is declining rapidly, particularly since Trump took over the reins of power in US, and by relinquishing its

right place from various international deals, including Paris Climate Change Accord, its might cannot be ignored and many foreign affairs experts vouchsafe the obvious fact that US is far ahead of every other country including China and Russia.

Ongoing US-China trade war presents an opportunity for India to hasten trade deals with US, which has been lingering on for long time. Before both India-US proceed in the direction, they need to tackle Corona crisis in hand. How would both countries emerge post-Corona will decide its influence at the global stage. Elections in US in November are not far away. How would it turn out to be seen before a new strategy is chalked out post-Corona? China is asserting itself, more so, during Corona and post-Corona by extending assistance to countries affected by Corona and helping generously by funding the WHO to tie over the withdrawal of US from WHO in the extreme crisis situation. US's sole superpower is to be tested. India though able to tackle commendably Corona crisis, its own existing domestic, economic and political issues will create an enormous challenge to overcome in the months ahead.

Concluding Remarks

Parliament has a prominent place in a parliamentary democracy. Though framing and execution of foreign policy is in the realm of Executive, Parliament over the decades has reinforced itself in influencing its presence whenever need arisen. Parliament has to make efforts to carve out its place whenever need arises to ensure that its role is not threatened or compromised.

Parliamentary initiatives are not considerable but it is not negligible too if we take the contribution of the Committee in the sphere of foreign policy as has been showcased in this paper gives a clear picture of how Parliament can influence and reinforce itself on the Government on various facets of foreign policy initiatives. Deliberations in the Parliamentary Standing Committee on External Affairs too were enormous in nature. These interactions and exchanges help not only the Committee to know the intricacies of foreign policy, as to what Parliament and its Members think or take on various facets of foreign policy in general and Indo-US relations in particular but also helps the Ministry to re-energize its functioning and perform better when it gives serious thought and responses to the various comments, remarks, observations and recommendations of the Committee.

In fine, India needs to walk a tightrope when it comes to dealing with US. India must find innovative ways to seize the opportunities to be

provided post-Corona crisis with uncertainties going to loom large in the new global order. While maintaining good relationship with Russia, India needs to be committed to building its strong relationship with US if it wants to contain Chinese hegemony and expansionist attitude in the region. Both India and US should go extra mile to converge on shared interests. Stress will be there on both sides with America First and Make in India. As has been delineated and articulated in the paper, Parliament invariably serves the national interests in general and that of interests of foreign policy concerning US in particular. One can only hope and expect tangible and discernible outcome as Parliament of India evolves itself with reforms in the years ahead.

References:

- [1] India, 16th Lok Sabha, *Debates*, Unstarred Question No.279, dated July 9, 2014. <http://loksabhaph.nic.in/Questions/QResult15.aspx?qref=638&lsno=16>
- [2] India, 16th Lok Sabha, *Debates*, Unstarred Question No.3914, dated August 10, 2016. <http://loksabhaph.nic.in/Questions/QResult15.aspx?qref=39875&lsno=16>.
- [3] India, 16th Lok Sabha, *Synopsis*, <http://loksabhadocs.nic.in/Synop/16/XVII/Supp+Syno-13-02-2019.pdf>
- [4] India, 17th Lok Sabha, *Committee*, http://loksabhaph.nic.in/Committee/CommitteeInformation.aspx?comm_code=11&tab=1.
- [5] India, 17th Lok Sabha, *Committee*, http://loksabhaph.nic.in/Committee/CommitteeInformation.aspx?comm_code=11&tab=1
- [6] 16th Lok Sabha, Committee on External Affairs (2018-19), Twenty-Fourth Report, February, 2019. pp. 1 http://164.100.47.193/lsscommittee/External%20Affairs/16_External_Affairs_24.pdf
- [7] 16th Lok Sabha, Committee on External Affairs (2018-19), Twenty-Fourth Report, February, 2019. pp.74 http://164.100.47.193/lsscommittee/External%20Affairs/16_External_Affairs_24.pdf.
- [8] 16th Lok Sabha, Committee on External Affairs (2018-19), Twenty-Fourth Report, February, 2019. pp.2-3 http://164.100.47.193/lsscommittee/External%20Affairs/16_External_Affairs_24.pdf
- [9] Arun M Kumar, *The Times of India*, June 22, 2017
- [10] 'Better Late Than Never', *The Times of India*, April 5, 2017.
- [11] Seema Sirohi, *The Times of India*, June 28, 2017.
- [12] Varghese K. George, *The Hindu*, September 8, 2017.
- [13] S. Rajagopan, *Sunday Pioneer*, September 24, 2017
- [14] AroonimBhuyan, *The Hans India*, December 26, 2017

India-US Relations during the Trump Presidency

- [15] Ibid.
- [16] India, 17th Lok Sabha, Debates – Submission by Members, July 23, 2019 - <http://loksabhaph.nic.in/Debates/Result17.aspx?dbsl=1358>
- [17] *The Pioneer*, May 1, 2020 - India visit boosted Indo-US strategic partnership: Trump <https://www.dailypioneer.com/2020/india/india-visit-boosted-indo-us-strategic-partnership—trump.html>.
- [18] *The Tribune*, April 30, 2020 - Disasters of Trump's making – <https://www.tribuneindia.com/news/comment/disasters-of-trumps-making-78257>.
- [19] Ibid.