Terrorism and Governance in Kashmir

by
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WAR AGAINST TERRORISM[1]

Since 11 September 2001, the United States and its allies have been at war against an elusive enemy. The Cold War was an entirely different experience, yet it is not without lessons for the war against terrorism.[2] The Soviet collapse was caused more by developments within the Soviet Union than by the actions of its adversaries. The war against global terrorism has already achieved important successes. On the diplomatic front, for example, UN Security Council Resolution 1373 (2001), adopted unanimously, obligates all members to end all terrorist activity and to bring the perpetrators of terrorism to justice. However, the problem of terrorism also needs to be tackled from within the states where it takes roots.

Through Resolution 1373 (2001) the Security Council for the first time imposed measures not against a state, its leaders, nationals, or commodities, but against acts of terrorism throughout the world and the terrorists themselves. It is one of the most expansive resolutions in the history of the council, with a focus on ensuring that any person who participates in the financing, planning, preparation, or perpetration of terrorist acts, or who supports terrorist acts, is brought to justice, and that such acts are established as serious criminal offences in domestic law and regulations with punishments that duly reflect their seriousness.

The council called upon states to submit to the Counter-Terrorism Committee reports on their implementation of the resolution. The committee has established subcommittees to review those reports, with the assistance of experts in relevant fields, and it conducts each review in partnership with the state that submitted the report. That partnership may lead the committee, United Nations agencies, and/or certain other states to provide a substantial degree of technical assistance and cooperation to facilitate the implementation of Resolution 1373 (2001).

Investigators throughout the world have arrested hundreds of individuals with possible ties to *al-Qaeda* and other terrorist networks. The threat of future attacks remains, but the sustained pressure of police work and intelligence gathering, coupled with military operations in Afghanistan, means that *al-Qaeda* is on the run and its network is being dismantled cell by cell, cave by cave.

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Drying up the financial sources of terror is vital to ending the terrorist threat. In fact, financial support has been crucial to the recent spread of terrorist activities across the continents.[3] Following the UN Security Council initiatives more than 112 nations have issued blocking orders and frozen assets used to finance terrorism, which have been found everywhere from bank accounts in the United States to relief organizations in Europe and chains of honey shops in the Middle East.[4] The 29-nation Financial Action Task Force has played a particularly active role in coordinating efforts to identify and stop financial flows to terrorist organizations.

DIVERSE IMPACT IN SOUTH ASIA

Nations have brought their own experiences, concerns, and even policy differences to the global war against terrorism. That was inevitable, and in many ways positive; the diversity and flexible nature of this unprecedented coalition is one of its strengths. However, it has also meant that the impact of the war against terrorism has varied in different regions and countries. In the South Asian region perhaps the most positive impact of the war on terrorism can be seen in Sri Lanka, which has witnessed significant easing of tensions since September 11. There is a clear shift in the LTTE's (Liberation Tigers of Tamil Eelam) position on a separate country (Eelam) with its chief, V. Prabhakaran, declaring that his organisation was neither for separatism nor terrorism. He also indicated that the LTTE would agree to a political solution within an integrated Sri Lanka, but would be forced to opt for secession if the conflict was not solved through peaceful means.

Some countries among the international community have imposed restrictions on the LTTE since 11 September terrorist attacks in the US. The US attacks, while unrelated to the LTTE, strengthened the then Sri Lankan government's campaign for a global ban on the LTTE. Australia, in December 2001, placed the LTTE on its list of terrorist organizations in pursuance of its obligations under Resolution 1373 on the suppression of the financing of terror. On 8 November 2001, following a relentless effort by the Sri Lankan government, Canada also named the LTTE as a terrorist outfit and the Superintendent of Financial Institutions in Canada issued a new list that included, for the first time, the LTTE. The LTTE's front organizations have a formidable presence in Canada and the Tamil expatriate community there is considered to be a major source of funds for the LTTE. Earlier, on 28 February 2001, the British government had proscribed the LTTE under its new Terrorism Act (2000).[5]

In Bangladesh a number of transnational Islamist terrorist groups, including *al-Qaeda*, had established a presence in alliance with various militant fundamentalist organizations. Investigations into the 22 January 2002, terrorist attacks on the American Centre in India's Kolkata brought these linkages to the fore. The self-styled Asif Reza Commando Force (ARCF), which claimed responsibility

for the 22 January attack, is essentially a criminal group allied to the *Harkat-ul-Jehadi-e-Islami, Bangladesh* (HuJI-BD). The HuJI-BD has very close links with Pakistan's external intelligence agency, the Inter Services Intelligence (ISI). The arrest of Aftab Ansari, alias Aftab Ahmed, alias Farhan Malik, the prime accused in the American Centre attack, led to further disclosures regarding the international linkages between the *Jaish-e-Mohammed* (JeM), *Lashkar-e-Toiba* (LeT), and HuJI based in Pakistan and Bangladesh. Ansari is reportedly linked to the ISI and to Omar Shiekh, a prominent leader of the JeM and prime accused in the abduction and murder of American journalist Daniel Pearl in Pakistan. These investigations and disclosures have put the Bangladesh government on alert and it has agreed to cooperate with other countries in checking terrorist operation from its soil.[6]

In Nepal, insurgency reached unprecedented levels during late 2001. At that time, the Maoists jettisoned the four month-old ceasefire that they had announced on 23 July 2001, and had launched coordinated countrywide strikes on the night of 23 November 2001. The worst among the attacks was the massacre at the Army barracks in Ghorai in which 14 troops were killed and another 30 injured. The left-wing extremists also looted 99 self-loading rifles. Also, the insurgents declared the formation of a "Central People's Government," implying that they had formed a national-level parallel government. The insurgents were also running a state within a state in their strongholds, including in Rolpa, Rukum, Jajarkot, and Salyan districts. It was in these districts that the insurgency began in 1996. Faced with an unenviable crisis, the Nepalese government declared a nation-wide "State of Emergency" on 26 November and deployed the Royal Nepal Army to counter the insurgents. The Emergency was then extended for another three months, with Parliamentary approval occurring on 21 February 2002. Nepal has received unqualified support from India in its counter-insurgency measures and so far it has been able to contain the threat to its nascent parliamentary democracy.[7]

MORE OF THE SAME IN KASHMIR

In the aftermath of the 11 September terrorist attacks in the United States, links between al-Qaeda, the Taliban, and terrorists active in Jammu and Kashmir (J&K) were recognized by the global community. It is now being accepted that transnational networks of terrorist groups are operating as autonomous entities quite independent of particular national situations.[8] Groups, such as the *Harkat-ul-Mujahideen*, JeM, and LeT, had direct links with the Taliban and with *al-Qaeda*. A large number of members of the Islamist terrorist network were suspected of having crossed over to Kashmir.

Osama bin Laden's covert support for terrorist organizations in Kashmir became overt when he threatened the US with more deaths after 11 September if it continued to support India. Bin Laden included India in the same category as

Russia, Serbia, and Israel as "enemies of Islam." This statement came close on the heels of a similarly worded threat to India from *Jaish-e-Mohammed* (JEM). Maulana Masood Azhar, the JEM chief, bristled at the freezing of his organization's assets by the USA on 11 October 2001 and said, "We warn them (Indians) to beware of the *mujahideen*. We will soon deal them a smashing blow to assert our authority. We will continue the struggle."[9]

In this context, it bears mention that the objectives of the World Islamic Front for jihad against Jews and Crusaders, established by Osama bin Laden in 1998, are far reaching and these include the liberation of the Middle East from the "clutches" of Israel; ejection of the USA from the Holy Land of Saudi Arabia; overthrow of the Saudi monarchy and other corrupt Muslim governments; and, uniting of all Muslim under the umbrella of the *Ummah* to transcend national borders and establish a "Caliphate-style" government.[10]

After 11 September, India tried to convince the US administration that the former was being targeted by the same terror network which inflicted the 11 September attacks on the US, and this common threat emanated from the same Islamist extremist sources supported by common allies, Pakistan, the Taliban militia in Afghanistan, and Osama bin Laden. This threat, consequently, required a common response. While this principle has gained wide acceptance, a degree of ambivalence has persisted in the US responses, as it has sought to manage Pakistan in an unlikely role as a frontline state against terrorism.[11]

Even before the 11 September attacks, the Western focus had been shifting, albeit inadequately, toward the burgeoning danger of international extremist Islamist terrorism located in the Pakistan-Afghanistan axis. It is partially this concern that was reflected in the US State Department's assertion, in mid-2000, that the locus of terrorism has shifted from West Asia to South Asia.[12]

Increased US attention on the sub-continent in the aftermath of 11 September, has revived calls from separatist forces within J&K and Pakistan for US mediation in the conflict. The US has consistently rejected the idea of mediation unless asked for by all parties involved in the conflict.[13] The US administration under President George W. Bush endorsed India's stance that terrorism was being perpetrated in the state under the façade of a struggle for freedom and went one step further by declaring groups manned by Pakistani and other foreign mercenaries, such as the LeT, JeM and HuM, as foreign terrorist organizations (FTO). In the aftermath of 11 September, the US woke up to the fact that the *Harkat-ul-Ansar* (HuA), a group it termed a FTO in 1997 for its links with bin Laden, was operating in Pakistan under the name of HuM after the proscription. The HuM was termed as an FTO in October 2001. Then, on 26 December 2001, the US termed the LeT and the JeM as an FTO. The UK too banned these organizations.

Following this intense international pressure, Pakistan took some steps against terrorist groups based in its territory and operating in J&K. They pro-

ceeded to arrest the top leadership of the JeM and LeT even while permitting the second line of command to operate freely. JeM chief, Maulana Massod Azhar, was first detained for a few hours on 26 December 2001 and then arrested again on 29 December. The former LeT chief, Hafiz Mohammed Saeed was arrested on 30 December. These face saving measures were intended to keep the dollars coming from the US rather than checking cross-border terrorism against India.[14]

Since the insurgency in J&K began in 1988, India has been consistently indicating that the state was a theatre for Pakistan's proxy war. It was only after the 13 December 2001 terrorist attack on parliament that the Indian government decided that this proxy war required the threat of a military response and military deployment along the border with Pakistan was built up. The consequent face-off between Indian and Pakistani forces strengthened Western perceptions of the Kashmir issue as a potential flash-point for a future nuclear confrontation between India and Pakistan, and the international community urged India to avoid an armed conflict with Pakistan and to give President Pervez Musharraf more time to curb the activities of terrorist groups based in his country.[15]

India's and Pakistan's oft-stated positions on Kashmir were vigorously stated within the context of the 11 September attacks. Pakistani President Musharraf, while going public on his support for the US in its global campaign against bin Laden and the Taliban, claimed that this course was being adopted to prevent harm to Pakistan's "Kashmir cause." In an interview on 2 October 2001, when asked about the changing focus of terrorism to Kashmir, he stated that this would be the most contentious issue and "it will not be accepted at all" in Pakistan.

The cosmetic changes within Pakistan in the post 11 September phase have failed to restrain the *jehadi* groups and there has been a continuous succession of attacks in India. In the 13 December attack on India's parliament, four *fedayeen* (suicide) terrorists of the JeM drove an explosives laden car into the Parliament compound and opened fire. Their entry into the Parliament building was prevented by Border Security Force personnel. Although one of the *fedayeen* blew himself up, this failed to cause any major casualties. (Eight BSF personnel and a member of the parliament staff were killed along with the *fedayeen*.) India has stated that the JeM, in collusion with the LeT, had carried out the attack.

In its 1 October attack on the Srinagar legislature complex, a JeM *fedayeen* detonated an explosives laden car outside the complex gate. In the ensuing confusion, three JeM *fedayeen* entered the complex and fortified themselves within. They fired indiscriminately until they were killed by the security forces. Thirty-eight persons, including the four *fedayeen*, were killed in this attack. Despite several peace initiatives and international pressure on Pakistan to abjure terrorism as a foreign policy instrument, terrorist violence has been on the rise in J&K. As a result, 1,067 civilians, 590 security forces personnel, and 2,850 terrorists were killed in 2001. This was only a continuation of the escalating trends in year 2000, when peace initiatives failed to check the levels of violence.

FRACTURED PEACE INITIATIVES

Several peace initiatives have been undertaken in recent years to address the Kashmir issue. Through an official statement on 5 April 2001, the Indian government invited all Kashmiri groups to participate in negotiations to end the crisis. Two days prior to this, former Union Home Minister L.K. Advani, announced the nomination of K.C. Pant, Deputy Chairman of the Planning Commission, as the government's candidate for the proposed talks. Initially displaying confusion, the All Party Hurriyat Conference (APHC) failed to issue an official reaction to the government's invitation for talks, and eventually, on 26 April, rejected the government's offer for talks.

This position was an endorsement of the views expressed by several Hurriyat leaders, including its then Chairman Abdul Ghani Bhat, who rejected the invitation for two reasons: first, the government had failed to permit a proposed APHC delegation visit to Pakistan to confer with terrorist groups based in that country; and second, the invitation was open to all Kashmiri bodies, which meant that the government was not willing to endorse the Hurriyat's self-proclaimed mandate as the "sole genuine representative" of the state's people. The Hurriyat's official rejection stated: "We are ready to enter into a dialogue with the Centre provided we are allowed to go to Pakistan, and New Delhi accepts Hurriyat Conference as the only representative body in Jammu and Kashmir." Stressing the second point, the statement added that the alliance ". . . is not ready to join the crowded train which goes nowhere."[16]

Abandoning moves to involve the Hurriyat in negotiations, the government decided to respond to the series of signals emanating from Islamabad, which said that the Pakistan government's wanted a summit level meeting on Kashmir. The Indian government's announcement, which ended the Ramadan ceasefire, also invited Pakistan's Chief Executive and thereafter President, Musharraf, to visit India for a composite dialogue, including the Kashmir issue. Responding to this invitation, Musharraf, who assumed his country's presidency on 20 June 2001, visited India in July 2001. The ensuing summit was variously interpreted as being either inconclusive or a failure.

Despite peace initiatives and international pressure on Pakistan to abjure terrorism as a foreign policy instrument, terrorist violence continued in J&K. In 2001, 1,067 civilians, 590 security personnel, and 2,850 terrorists were killed.[17] This showed that peace initiatives do not necessarily imply a respite from violence. Casualties in 2001, both among security forces and terrorists, were well above the figures for 2000. The increase in civilian casualties, however, was marginal, and there was also a decline in the total number of incidents recorded. But total casualties were significantly higher, underlining the increased focus and lethality of violence in the state. The casualties suffered by the security forces showed the most dramatic increase followed by terrorist casualties. The year 2001 had repeatedly seen hopes of peace destroyed by arbitrary acts of violence.[18]

The pattern continued in 2002 with terrorist violence erupting whenever peace moves were initiated. While 44 percent of the voters turned out to vote during the State Assembly election in October 2002, the state's cleanest elections were also its bloodiest. In 45 days of campaigning, 46 political activists were killed. Most of them, including a state minister, belonged to the ruling National Conference party. During 2002, approximately 839 civilians and 469 security forces personnel were killed, and some 1,714 terrorists were killed by the security forces in counter-terrorism operations.

The new Chief Minister, Mufti Mohammed Sayeed, took two steps soon after coming to power: a freeze on the Prevention of Terrorist Activities Act and the release of militants. These are the cornerstones of his much-vaunted policy of the "healing touch." The tactic was to first to put down "the internal fire of discontent and alienation" in Kashmir, a significant break from the security-centric approach of the past.

However, these initiatives met with immediate response from the terrorists. It began with a suicide attack on a CRPF camp in Srinagar on 22 November. The next day the militants blew up an army bus and on 24 November terrorists wreaked havoc on the historic Raghunath temple in Jammu, the state's winter capital. Together, they accounted for 34 lost lives. What followed was an acrimonious controversy over the state government's decision to release 24 jailed militants. There were strong indications that the setbacks on the security front could force the chief minister to abandon plans to free more militants.[19]

Meanwhile, over 400,000 Kashmiri Pandits out of an original population in the Kashmir Valley of 425,000 prior to 1989 continued to be displaced. Official records indicate that some 216,820 of them lived as migrants in makeshift camps at Jammu, another 143,000 at Delhi and thousands of others are now dispersed across the country. Many of those registered at the camps have also been dispersed according to the exigencies of employment and opportunities for education, trade, or business. There has been little effort made to facilitate their return to the valley in recent years, as earlier attempts were neutralized by brutal campaigns of selective murder, including the killing of seven Pandits at Sangrama in Budgam district in March 1997, three at Gul in Udhampur district in June 1997, 26 in the massacre at Wandhama in Srinagar district in January 1998, and 26 at Prankote in Udhampur district in April 1998.

The possibility of reversing the terrorist's ethnic cleansing of the valley remains remote, and there are now reports of a hidden migration from some of the border areas in the Jammu region where the Hindus are a minority. This exodus gained momentum after the gruesome killing of another 24 Kashmiri Pandits in March 2003. These people, including 11 women and two children, were brutally massacred at Nadimarg village in south Kashmir on the night of 24 March 2003, pushing the valley back onto a path of blood and violence. Perhaps the most distressing part of the incident was that it all happened in the compound of

a police post set up for the protection of the minority Hindu community. Of the nine policemen supposed to be guarding the Hindus, three were absent. Others were asleep.[20]

As part of the Composite Dialogue between Pakistan and India, talks on combating terrorism and dealing with the menace of narcotics and drug cartels were held on 10-11 August 2004 at Islamabad. On these sensitive issues very little could be expected to emerge in the first round of talks. India and Pakistan reaffirmed their determination to combat terrorism and emphasized the need to eliminate this menace. As expected, there was no headway, however, on the issue of terrorism as both sides had divergent positions on what "terrorism" meant. Pakistan and India, for political reasons, define "terrorism" in different ways and it was therefore difficult to arrive at a consensus in the first round of talks.

THE GOVERNANCE IMPERATIVE

One of the reasons why terrorist and subversive groups continue to survive and thrive in Kashmir is that the people are no longer willing to tolerate the inequity, poverty, and corruption in which the state has been mired. Disgusted with the governments and despairing of the prospect for peaceful and incremental change within the existing order, the people are looking for an explanation of their personal suffering and societal degradation. The eruption of militancy in Kashmir during the late 1980s was not a sudden outburst but the cumulative result of various twists and turns in the state's politics over many years. If one wants to understand the growth of militancy in Kashmir, one has to bear in mind that it is both spontaneous as well as a result of some external planning. The denial of basic human needs like a genuine, decent livelihood, civil liberties, and federal autonomy to the people of Kashmir, alienated them from the Indian nation and subsequently, they crossed over to the side of militancy. Pakistan, a traditional rival in the dispute of Kashmir, took advantage of the situation. It not only gave military training to young Kashmiri Muslims but also provided sophisticated weapons. After their return, these young men started an armed struggle in Kashmir.

There is little doubt that with force, vigilance, and some luck, India will be able to substantially destroy and disrupt the existing cross-border network of terrorism operating in Kashmir. But no amount of military force, territorial vigilance, and operational genius can contain a group of suicide attackers that stretches endlessly across borders and over time. India must ultimately undermine their capacity to recruit and indoctrinate new true believers. That requires dealing with the factors that help in spreading terrorism. And one of the principal factors is chronically bad governance.

The plain and even brutal fact is that the political and administrative system in Jammu and Kashmir, like several other states in India, has been a failure. Political parties in Kashmir have used all means and broken rules at will in their

quest for power and wealth. Ministers worry first about the money they can collect and only second about whether their decisions have any value for the public. Legislators are known to have collected bribes to vote for bills. Even military officers are alleged to have ordered weapons on the basis of how large the kickback will be. There are instances where soldiers and policemen have extorted rather than defended the public. In Kashmir, the line between the police and the criminals is a thin one, and at times may not exist at all.

Most institutions of civil governance in the state, already weakened by inefficiency and corruption, have suffered a complete breakdown in the face of the terrorist onslaught. This includes the state's prosecution department and judiciary, which, after nearly 14 years of terrorist strife, (11,850 civilians and 3,460 security forces personnel killed and thousands of others injured in the state as a result of terrorist activities until the end of the year 2001), has had just 303 undertrials and has pronounced only 13 convictions in cases related to terrorism. Only five of these convictions relate to serious offences, while the others are all for such relatively minor offences as illegal possession of arms and illegal border crossing.[21]

In fact, in the state of Jammu and Kashmir several government institutions are a façade. The police does not enforce the law. Judges do not decide the law. Custom officials do not inspect the goods. Manufacturers do not produce, bankers do not invest, borrowers do not repay, and contracts are not enforced. Most transactions are twisted to take immediate advantage. Time horizons are extremely short because no one has any confidence in the collectivity and its future. This is pure opportunism: get what you can now. Government does not seem like a public enterprise but a criminal conspiracy, and organized crime has heavily penetrated politics and government. In this context, neither democracy nor development can be sustained. Kashmir is a clear example of the absence of civic traditions that are so essential to make democracy work.[22]

It is, then, no coincidence that ethnic violence, religious blood letting, and civil unrest are tightly entwined with the corruption of cynical leaders. The incapacitated state in Kashmir cannot sustain democracy, for sustainable democracy requires constitutionalism and respect for the law. Nor can it generate sustainable economic growth, for that requires people with financial capital to invest in productive activity. In this state of disorder, private companies do not get rich through productive activity and honest enterprise. They get rich by manipulating power and privilege, by stealing from the state, exploiting the weak, and shirking the law. Thus, it is no wonder that such a weak and porous state has not been very successful in combating terrorism.[23]

BRINGING THE STATE BACK IN

It is difficult to resist the temptation to think that the problem is rooted in the culture of this state, or perhaps of the nation, and that there is not much anyone can do about it. It is true that the state will neither develop its economy nor consolidate its democratic system until its culture changes, but it is wrong to presume that cultural change must lead the way out of the predatory trap.

Cultures change only slowly, but institutions can be altered rapidly. And culture will adapt to new institutional incentives if the institutions work effectively to generate new expectations and norms. Through civic education and organizational efforts new, more civic norms can be generated. But these will be sustainable only if the institutions of a civic community come into being.[24] The state of Jammu and Kashmir needs to be completely overhauled institutionally.

The institutions that generate a rule of law and a climate of peace, predictability, and order are: an independent and professional judicial system; a transparent and efficient banking system (including an independent central bank); effective rules, regulations, and oversight agencies governing banking, capital markets, and commerce; rules and institutions to restrain corruption by monitoring and when necessary punishing the conduct of public officials; a system of domestic policing that enables people to invest, produce, and exchange free of extortion from the state or criminals; and a tax system that collects sufficient revenue to finance these and other public good.[25] In his seminal book on globalization, *The Lexus and the Olive Tree*, Thomas Friedman calls these institutions the "software that accompanies a country's basic hardware" and its "operating system."[26] In the context of this discussion, we can call this software an institutional resource in that it facilitates the creation and efficient application of all other forms off resources.

A crucial place to begin is with the institutions of "horizontal accountability." This is the process by which some state actors hold other state actors accountable to the law, the constitution, and norms of good governance. Some of the key institutions in this regard are the judiciary, the central bank, and related oversight institutions, and the electoral commission. These institutions must be resourceful, professionally led and staffed, and independent of political manipulation and control if they are to function effectively. The most urgently important institutions of horizontal accountability are the ones directly charged with controlling political and bureaucratic corruption. Corruption is the core phenomenon of the failed administration in Jammu and Kashmir, as indeed in other states like Bihar and Uttar Pradesh in India. It is the principal means by which state officials extract wealth from society, deter productive activity and thereby reproduce poverty and dependency.

Apart from government officials, landed elites, corporate and political leaders, and organized criminal gangs also use corruption to purchase access to resources and immunity from the law. Politicians use corruption to barricade

themselves in power. Patrons distribute the "crumbs" of corruption to maintain their client groups. Corruption is to the weak state what the blood supply is to a malignant tumor. Cut it of and the tumor will shrink and die. Cutting it off will be a long, contested process. But powerful, well-designed institutions can make a difference. What is needed most of all is an independent anti-corruption agency. This commission would receive declarations of assets by all significant public officials on a regular basis; and have the staffing, technology, and political will to monitor those declarations and prosecute cases of corrupt accumulation and concealment of wealth before an independent tribunal.

Such a commission must vigorously monitor the conduct of public officials in every respect, backed up by a state audit commission to audit all public accounts and an ombudsman's commission to receive and investigate pubic complaints. It must have the authority and resources to prosecute as well. The institutions of horizontal accountability form a self-reinforcing web. An anti-corruption commission must rely in part on the audit agency to uncover theft and misuse of public resources, and on the ombudsman to invite and investigate public complaints. Reduction and deterrence of corruption will be reinforced if an electoral commission can produce sufficiently clean elections to enable citizens to turn out of office the most corrupt public officials. It is a mistake to think that the impoverished masses at the bottom of the corrupted system are so fragmented and hoodwinked that they will happily settle for whatever corrupt patronage comes their way.[27]

People do learn over time that the system is exploiting them, and information about corruption and injustices does move around rapidly. Or at least it can move around if there is some freedom of information in terms of a pluralistic press and free access to the electronic media. The importance of free and fair elections and free mass media underscores a fundamental point about controlling corruption and exploitation. In Kashmir, accountability cannot succeed if the initiative for it comes only from within the state sector. Horizontal accountability must be reinforced by vertical accountability. In addition to competitive elections and the mass media, NGOs have to play a crucial role in monitoring the conduct of public officials and holding them accountable for their performance in office.

No infusion of economic resources, no matter how massive and sustained, will in itself generate development in Kashmir because the problem is not simply a lack of resources or functioning infrastructure. The problem is a more fundamental shortage: of the institutions and norms of democracy and good governance. Unless the state of Jammu and Kashmir is helped to develop institutions that collect taxes, limit corruption, control crime, enforce laws, secure property rights, provide education, attract investment, and answer to their own people, the state will not develop and the flow of terrorists from across the border will not subside. This is why the government must not only substantially increase the development budget, but also devote a much larger portion of that budget to democracy and a good-governance program.[28]

The global war on terrorism has won a victory in freeing the people of Afghanistan from the medieval tyranny of the Taliban. The United Nations has certainly degraded and disrupted the terrorist infrastructure of *al-Qaeda*. Other military and intelligence challenges lie ahead. But the challenge India and the world face is as much political as military. In Kashmir it lies in the daunting task of helping to reconstruct a failed state and constructing for the first time a system of government that is decent, responsible, consensual and, ultimately democratic. The war on terrorism cannot stop at military victories. India must help and induce the predatory and messy administration in Jammu and Kashmir to develop civic institutions and norms. Only then will the state be able to sustain good governance and development progress, and thereby regain the confidence of the people. Only then can India achieve a lasting victory in the war against terrorism. This is a lesson from Kashmir for the global war on terrorism.

Endnotes

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