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The authoritarian practice of issuing internet shutdowns in India: the Bharatiya Janata Party's direct and indirect responsibility

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ABSTRACT

This article examines India's troubling rise in internet shutdowns. Focusing on internet shutdowns issued outside of the conflict-prone region of Jammu and Kashmir, the article asks two essential questions: One, who issues the shutdowns in India? And two, why are they issued? Using qualitative fieldwork conducted in two Indian states, and quantitative data analysis of recorded internet shutdowns across the country, the article argues that (1) rather than a centrally coordinated, top-down campaign from the central government, India's 28 state governments are largely responsible for the issuing of shutdowns, and (2) the Hindu-nationalist Bharatiya Janata Party (BJP) is both directly and indirectly responsible for many of India's shutdowns. BJP-run state governments issue more shutdowns than non-BJP states, primarily to suppress protest (the direct responsibility), while the party's polarizing rhetoric and policies, coupled with the BJP-built limited regulatory framework governing the issuance of shutdowns, contribute to an environment in which the shutdowns can thrive (the indirect responsibility). Confirming these arguments, my quantitative analyses (2012–2020) reveal that districts in BJP-ruled states experience significantly more internet shutdowns (primarily in response to protests), while Hindu-Muslim conflict triggers internet shutdowns all across the country.

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Introduction

India's democracy has been under threat ever since the Bharatiya Janata Party (BJP) rose to power in 2014. According to the latest Freedom House report,¹ Prime Minister Modi and his party are tragically driving India towards authoritarianism, so much so that V-Dem recently downgraded India's status from being the "world's largest democracy" to an "electoral autocracy".² Alongside this democratic backsliding, the practice of issuing internet shutdowns has also risen dramatically. Shutdown orders were

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 Supplemental data  for this article can be accessed, Link Appendix: <https://figshare.com/s/28177a0098d007707d69>; Link do-file: <https://figshare.com/s/f679a3196cef881a32e2>; Link dataset: <https://figshare.com/s/4a3a54f43a40dc07e89c>.

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seldom issued in the country prior to 2014,³ yet India now holds the dubious record of issuing most internet shutdowns worldwide. In 2020, 106 internet shutdowns were issued in India (by contrast Yemen, the nation with the second highest frequency of shutdowns, had only six).⁴ When a shutdown in India takes place, it is usually justified by government officials either as a measure to prevent social unrest or to restore law and order. Yet critics point towards the significant societal, economic, and psychological repercussions of shutdowns, noting how these events limit freedom of information and expression.⁵

This article aims to provide a comprehensive understanding of the politics behind India's dramatic rise in internet shutdowns by asking two questions: One, *who* issues internet shutdowns in India? And two, *why* are they issued? To answer the first question, I analyse the decision-making process behind shutdowns through a political lens by conducting in-depth interviews of Indian officials responsible for issuing shutdowns and combining these findings with existing academic works on the functioning of India's bureaucracy. This approach reveals that rather than a centrally coordinated, top-down campaign led by the central government, India's shutdowns can be better understood within the context of India's federal system in which *state-level politics* are crucial. India's 28 states are responsible for their own internal security, meaning the officials authorized to issue a shutdown answer to their state-level superiors – not the central government.

To explain *why* shutdowns are issued (including their variation across the country), I then assess the *direct* and *indirect* role of the BJP. Regarding the BJP's *direct* role in the process, I demonstrate that far more internet shutdowns are issued in states where the Hindu-nationalist party is in power – which can be explained by the party's majoritarian populism where there is limited tolerance for dissent. As for the BJP's *indirect* role, I argue that the party and its aligned forces are also *indirectly* responsible for the many internet shutdowns that are issued in the wake of deliberately provoked Muslim-Hindu tensions, as well as the development of a regulatory framework that puts few constraints on the officials responsible for issuing shutdown orders.

Contributing to the existing literature on authoritarian regimes' control over cyberspace,⁶ my article understands India's internet shutdowns as an *authoritarian practice* that serves as part of the broader overall process of India's democratic backsliding under the BJP. Rather than solely considering the shutdowns as a strategic tool for the BJP to fend off political challengers, my analysis takes a practice-based approach that also emphasizes the organizational and social context in which the shutdowns arise. For purposes of this study, that means recognizing the BJP's polarizing *Hindutva* rhetoric and policies, as well as the shutdowns' limited regulatory framework, as being indirectly responsible for the issuance of the internet shutdowns.

Notably, my set of arguments applies to internet shutdowns in all of India except those in Jammu & Kashmir (J & K). In J & K, regardless of which party is in power, the Government of India (GoI) has used internet shutdowns as part of a larger campaign to crush the region's long-standing struggle for more political autonomy.⁷ Under the banner of fighting "Pakistani-sponsored terrorism", the GoI has transformed J & K into one of the most militarized zones in the world, issuing internet shutdowns whenever there is even the slightest chance of protest.⁸ Similar to challenges faced by suppressed groups in China, Myanmar, Pakistan, and Cameroon, J & K's shutdowns are therefore better understood as part of the GoI's military campaign to "protect" the territorial integrity of the state at all costs, making them fundamentally different from the shutdowns that occur in the rest of India.

The article commences with a discussion of the existing literature on the consequences and causes of internet shutdowns, and subsequently introduces internet shutdowns as an authoritarian practice. I thereafter proceed to answer the *who* and *why* question by discussing the primacy of state-level politics in the decision-making process and then assessing the BJP's direct and indirect responsibility for the shutdowns. Confirming my arguments in a series of quantitative tests, I conclude by urging studies on internet shutdowns to better contextualize the internet shutdowns' issuance.

Shutdown consequences and causes

I understand an internet shutdown as “a government-imposed disablement of access to the internet as a whole within a particular locality or localities for any duration of time”.⁹ Two remarks need to be made on this definition. First, it only includes “government-imposed” orders – not shutdowns that are the result of technical failures or those that are imposed by non-state actors. Second, a shutdown concerns the internet “as a whole” – meaning a selective ban on a platform like Facebook or Twitter does not constitute an internet shutdown.¹⁰

Existing research on internet shutdowns, both in India and beyond, focuses primarily on the consequences of shutdowns as opposed to their causes.¹¹ Operating under the premise that governments should be convinced not to use internet shutdowns as a means to control information flows, various studies have demonstrated the severe economic, social, and psychological impacts of shutdowns, especially on marginalized and vulnerable populations.¹² The political consequences of shutdowns have also been examined, with findings that cast doubt on the tool's effectiveness to suppress protest or social unrest.¹³

Far less attention has been devoted to which parts of governments issue internet shutdowns and why they do so, resulting in an underdeveloped understanding of the shutdowns' underlying causes. From few existing studies, we know that shutdowns are often issued by authoritarian regimes¹⁴ that often own the internet's infrastructure themselves,¹⁵ yet the decision-making processes, including *who* issues the shutdown, remains poorly understood.

Three general explanations predominate in the literature regarding *why* a government would issue a shutdown. First and foremost, internet shutdowns are seen as a tool to prevent mobilization that can challenge government control. Egypt's 2011 nation-wide shutdown amidst the Arab Spring is a prime example, but there are also more recent examples during protests in Togo (2017), Nicaragua (2018), Belarus (2020), and Myanmar (2020).¹⁶ Second, particularly in Africa, internet shutdowns occur during contested elections – likely in an effort to thwart protests or conceal electoral malpractices. In 2015–16, half of the elections in Sub-Saharan Africa took place amidst an internet blackout.¹⁷ Third, internet shutdowns are used as a punitive, disciplinary tool for suppressed groups in struggle with their government for greater political recognition. For example, marginalized groups in Pakistan's Balochistan, English-speaking Cameroon, China's Xinjiang, Myanmar's Rakhine and India's J & K have been disconnected from the internet – often for long periods of time – in an effort to hinder the documentation of their existence online, including human rights violations committed against them.¹⁸

Internet shutdowns as an authoritarian practice

Each of the three abovementioned explanations which are not mutually exclusive, fit within a strand of research that studies how authoritarian regimes use their “digital toolkit”,¹⁹ including different “generations” of internet controls,²⁰ to fend off challenges to their rule.²¹ Because shutdowns are among the more blunt instruments available in this toolkit, they are often perceived as a regime’s last-straw response in times of crisis. For example, Hosni Mubarak’s government in Egypt was believed to have only opted to impose a shutdown during the Arab Spring protests once the ongoing demonstrations were shaking the regime to its very core.²²

This traditional approach on internet shutdowns overlooks the fact that not every shutdown comes directly from the top of a regime, as well as that not every order necessarily seeks to contain a direct threat to a regime’s survival. Building on Glasius’ conceptualization of authoritarianism, I therefore propose to understand internet shutdowns in India as an *authoritarian practice*, defined as a “a pattern of actions, embedded in an organized context, sabotaging accountability to people (‘the forum’) over whom a political actor exerts control, by disabling their access to information and/or disabling their voice”.²³

The advantage of a practice-based perspective on the shutdowns is threefold: Firstly, it questions the centrality of the national regime, acknowledging that the shutdowns’ decision-making power could lie at lower levels of the administration. As will be later demonstrated, in India it is the state and not the central government that is primarily responsible for the shutdowns’ issuance. Second, by moving beyond a narrow conceptualization of the shutdown as tool for a dictator under threat, the approach pays explicit attention to the social and organizational context in which the shutdowns are issued. Applied to this study, it means recognizing India’s polarized political climate, as well as the shutdowns’ regulatory framework, as important contextual factors. Third, rather than calling all political phenomena that have a negative impact on people’s lives “authoritarian”, ranging from violence to discrimination, the chosen approach explicates what makes the shutdowns authoritarian: By disabling citizens access to information and/or disabling their voice, a shutdown undermines the dialogue between the state and the citizens it exerts control over, and thereby actively sabotages accountability.

India’s internet shutdowns: where, when, and how are they imposed?

India recorded a large decline in democracy in the past decade which coincided with a steep rise in the number of issued shutdowns.²⁴ My data on internet shutdowns derive from the Software Freedom Law Center, India (SFLC.in), which tracks internet shutdowns in India through news reports and individual reporting. SFLC.in’s database consists of shutdown orders, including their start and end dates, the affected districts, and hyperlinks to the news article reporting on the shutdown (if available).²⁵ As [Figure 1](#) shows, shutdown orders (outside of J & K) have become increasingly common since 2014.

To date, no shutdown in India has covered the whole country – but entire states have been affected. Most often, however, shutdowns are more localized in nature and target specific districts within a state, city, or even subpart of a city.²⁶ Because the majority of shutdowns target mobile internet only, they primarily affect those who access the internet through their mobile phones (the vast majority of India’s

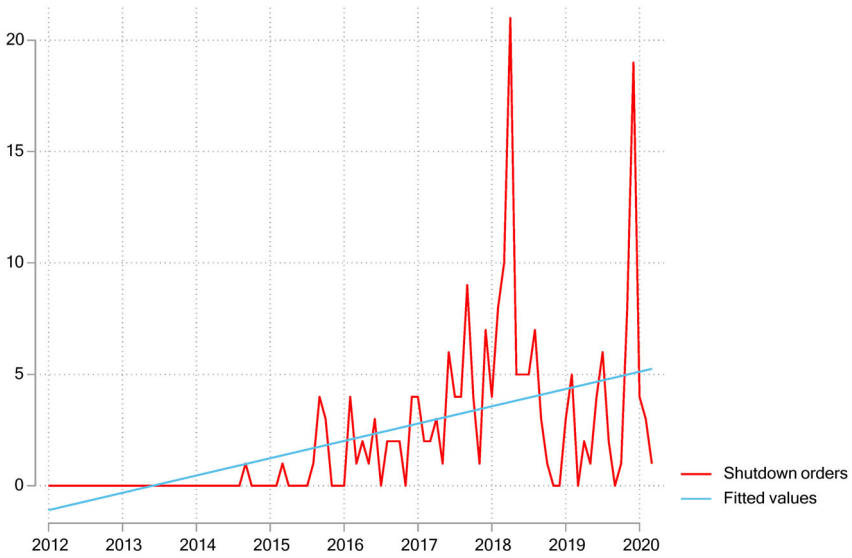


Figure 1. Number of shutdown orders per month.

population),²⁷ while sparing the 3% that can afford a more expensive wired connection.²⁸ Anecdotal evidence moreover suggests that government officials themselves are also not affected by the shutdowns. While private networks (e.g. Jio, Airtel, or Vodafone) are ordered to stop their services, the government-used BSNL lines usually remain up and running.²⁹

Figure 2 displays the number of districts (excluding J & K) that faced at least one shutdown during the period of study. Note here that a shutdown order – as displayed

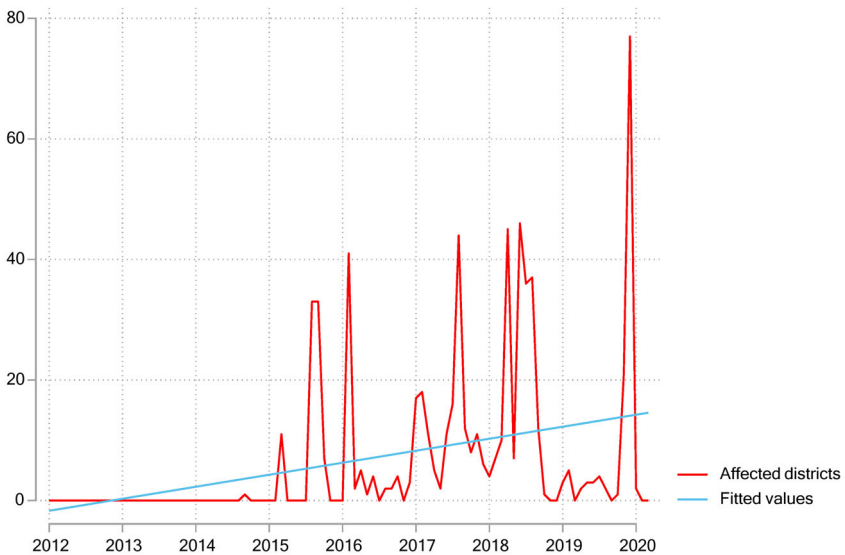


Figure 2. Number of affected districts with a shutdown per month.

Methods

I drew upon multiple sources to investigate who issues shutdown orders in India and why they do so. To begin, I first conducted fieldwork in Rajasthan and West-Bengal in February/March 2020. These states were selected for three reasons. First, both Rajasthan and West-Bengal faced numerous internet shutdowns between October 2015 and March 2020 (68 and 12, respectively), allowing for a more in-depth examination of the decision-making processes. Second, both states were safe enough for meaningful fieldwork to be conducted within their borders (something that would not be the case for all states). Third, the SFLC.in had research assistants in both states who were able to provide logistical and organizational support.

In conducting research, I held interviews with eight government officials who either had the authority to issue an internet shutdown or were close to those who had. Of those eight, three were conducted with Indian Administrative Service officers (IAS), four with Indian Police Service (IPS) members, and one with an official from the State Police Service (SPS).³¹ Thirty-three additional interviews were held with activists, journalists, and academics. Due to Covid-19 restrictions, some interviews were held online. All interviewees were given the option to remain anonymous, which some chose to do. To supplement this fieldwork, I used quantitative data (discussed below) as well as secondary sources. Drawing on these interviews and existing works on the functioning of India's bureaucracy, I will now address the question of *who* issues internet shutdowns in India, revealing that the decision-making power for the authoritarian practice lies with bureaucrats who answer to the state – not the central – government.

Internet shutdowns, a state affair

India's federal state system is comprised of 28 states and nine union territories. In union territories, the GoI is responsible for maintaining law order. In states, by contrast, the elected state government is tasked with that job, passing down orders to key district-level officials in charge of law enforcement: the district magistrate (the DM), and the superintendent of the police (the SP).³² Until 2017, it was also the DM, under Section 144 (of the CrPC), who could issue a shutdown to maintain public order. As a colonial relic vesting vast emergency powers with the DM, Section 144 was clearly not designed to regulate internet shutdowns, impelling Modi's government to update and formalize the shutdowns' regulatory framework in 2017 (on which later more).³³ Under the new shutdown rules, the power to issue a shutdown is placed higher up in the administrative system.³⁴ In states, the State Home Secretary is now the responsible officer, while in union territories, the Union Home Secretary is tasked with that job.

Because internet shutdowns in India are issued by civil servants, it is important to understand how these individuals get selected and assigned to their posts. The position of DM (under the old rules), as well as the positions of State and Union Home Secretary (under the new rules), are filled by members of India's elite civil service, the Indian Administrative Service (IAS).³⁵ Each year, anywhere between 200,000 and 400,000 individuals sit for the civil services exams, out of which only the top 100 or so qualify for the IAS.³⁶ Once admitted, new IAS officers follow a two-year training programme, after which they are allotted to a state cadre for life (where they usually become a DM after four or five years of service).³⁷

Notably, IAS officers can be transferred by the state government from one post to another in the public interest. Various ministries and departments of the GoI have formulated guidelines that “the right job should go to the right person, his or her tenure at the post should be at least three to five years”, and that “transfers should be based on adequate grounds”.³⁸ In reality, however, the transfer system is highly politicized. Loyal civil servants are rewarded by state governments with important positions, whereas officers aligned with opposing political forces often find themselves punished with obscure postings. In a survey of civil servants from 2010, only 24% believed that the postings to much-desired positions were merit-based and half of the officers admitted undue outside pressure was a significant problem.³⁹ While this politicization of India’s bureaucracy certainly pre-existed Modi’s rise to power, there is evidence it has only increased ever since.⁴⁰ Speaking about the political interferences in India’s civil service, an IPS officer interviewed in Rajasthan acknowledged:

People get transferred too much on the basis of political compulsions, or because they are not aligned to the government in power.⁴¹

This type of reshuffling is particularly prevalent when a new state government is elected, at which time mass waves of bureaucrats loyal to the new party in power are transferred to important posts.⁴²

What does this mean for the internet shutdowns? While IAS officers are responsible for shutdowns on paper, they will usually first look to their political masters in the state government before they issue one. Localized, minor law and order issues that carry little political weight might still be handled by the authorized officials without political intervention from above. Yet when the stakes for the state government increase, its involvement becomes more likely and the responsible officers will tend to wait for instructions.

Numerous examples illustrate this point. After the Patidar movement threatened to stage a protest during an international cricket match in 2015, the responsible DM in Rajkot received “instructions” from the state government to shut the internet down.⁴³ Likewise, following instructions from the All India Trinamool Congress (TMC) government of West-Bengal, the internet was made unavailable in January 2019 for those protesting “anti-worker policies” in Kolkata. Allegedly, the TMC leadership felt threatened in its leadership role against the BJP government and gave instructions to the police to throttle internet speed at the protest site.⁴⁴ By contrast, *in the absence* of clear instructions from Haryana’s state government, responsible officers were “frozen into inaction” when the Jat agitation spiralled completely out of control in 2016.⁴⁵ A panel investigating the crisis later reported that the responsible officers – even in situations clearly demanding their action – waited until they knew what would please their political masters most before acting.⁴⁶ While denying their own manipulability, most interviewed officials admitted that internet shutdowns are usually issued “in close cooperation with” and after “consultation of” the state government.⁴⁷ Given their limited autonomy vis-à-vis their political masters, it requires little imagination to grasp what this means.

Accordingly, although existing literature on internet shutdowns indicates they are typically issued by (national) authoritarian regimes, in India the political power for issuing shutdowns primarily lies with the 28 elected state governments. Given this, it is critical to understand why certain state governments in India issue so many more shutdown orders than other states.

Explaining the shutdowns – the BJP’s direct role

As of March 2020, the BJP is part of 15 out of 28 state governments – and these are the states in which most internet shutdowns are issued. Of the 637 districts outside of J & K that faced an internet shutdown in the period 2012–2020 (March), no less than 501 were ruled by a BJP-run state government. While the immediate triggers vary, the party’s limited tolerance towards dissent makes the internet shutdown a frequently used tool for quelling protest.

In the BJP’s majoritarian populism, where the party embodies “the people”, there is no room for pluralism or dissent. Adversaries, and especially Indian Muslims, are frequently depicted as “anti-national” or even “traitors”.⁴⁸ As a result, civil liberties, including the freedom of peaceful assembly, have severely declined in BJP-ruled states and protests are often suppressed by internet shutdowns.⁴⁹ A police officer serving under a BJP government in a North-Eastern state was surprisingly forthright to me about why shutdowns are used:

There are sometimes protests that have the risk of stirring up protests in other parts of the state by movements acting in solidarity with the protest. A shutdown can be used to prevent that.⁵⁰

Nowhere was the BJP’s tendency to use shutdowns for repressing protests more apparent than during the anti-CAA protests in December 2019.⁵¹ Throughout the month, BJP-run state governments issued internet shutdowns to conceal a merciless clampdown on those protesting the alleged unconstitutional and discriminatory nature of the bill. Of the 19 shutdowns that were issued in response to anti-CAA protests, 14 were ordered in BJP states.⁵² With 12 shutdowns, 23 killings, and thousands of protesters detained, the clampdown in Uttar Pradesh was most severe.⁵³

Internet shutdowns have also been used to repress other protests in BJP states. In Gujarat for instance, six shutdowns were issued during the Patidar protests for government reservations. After negotiations between the BJP state government and protesters collapsed, the authorities began a strategic clampdown on the movement by banning protest, charging its leader with sedition, and falsely accusing hundreds of other individuals.⁵⁴ Each time there was a call for a new protest, the internet was shut off.⁵⁵ According to *the Wire*, a critical online publication in India, this was nothing but a “a brute and unjust quelling of political dissent”.⁵⁶ Similarly, in the BJP-led state of Maharashtra, the state government issued internet shutdowns alongside a crackdown on lower caste protests. During the shutdown, the “police would search Dalit slum areas, destroy two wheelers, kick down doors and beat up any able bodied male they could find”.⁵⁷

The BJP is therefore *directly* responsible for many of India’s internet shutdowns. Although BJP state governments – not the central government, thus order the shutdowns to repress protests, the BJP’s transformation into “a monolithic entity” under the absolutist direction of Modi’s leadership makes the latter’s tacit endorsement of the authoritarian practice very plausible.⁵⁸ In light of the above, I derived two testable hypotheses:

H1: Internet shutdowns are more frequently issued in districts ruled by a BJP state government than in districts not ruled by BJP state government.

H2: Protests in districts ruled by a BJP state government are more often met with an internet shutdown than protests in districts not ruled by a BJP state government.

Explaining the shutdowns – the BJP’s indirect role

Instead of only viewing the shutdowns as a strategic tool for BJP state governments to use against their direct challengers, a practice-based approach also takes into account the organizational and social context in which the shutdowns occur. Here, too, the BJP plays a key role. By deliberately inducing the “communal tensions” that trigger many of India’s shutdowns, and establishing a regulatory framework that allows government officials to easily and frequently issue shutdown orders, the party has created a political climate ripe for internet shutdowns to thrive.

Nearly every official I interviewed brought up Hindu-Muslim tensions (i.e. “communal tensions”) as the prime explanation for why so many shutdowns are issued in India. According to these officials, online rumours play a key role in the instigation of these tensions, and as such they must be met with a shutdown.⁵⁹ Using newspaper reports to determine the “actual cause” of internet shutdowns in India, Access Now reports that 42 out of the 157 shutdowns issued outside of J & K from 2016–2019 were due to “communal tensions”.⁶⁰

Yet rather than erupting spontaneously as the official narrative proclaims, Hindu-Muslim tensions stem from the toxic political climate that has emerged under the BJP’s rule. The party’s *Hindutva* agenda, an ideology which considers Hindu religion and culture superior to all others, actively polarizes society along religious lines and uses a “war on terror” framework to target Indian Muslims.⁶¹ For example, BJP politicians recently helped disseminate conspiracy theories that framed COVID-19 as a “Muslim virus”.⁶² Within such a polarized atmosphere, the shutdowns issued in response to communal tensions should not, as the officials suggest, be seen as a measure to curb social-media fuelled animosity between Hindus and Muslims. Instead, they should be understood as a symptom of the BJP’s own divisive *Hindutva* agenda.

The BJP and aligned Hindu-nationalist groups also deliberately provoke the immediate triggers for the communal tensions which prompt shutdowns. Especially prior to elections, BJP-aligned forces “produce” communal incidents to induce a strengthening of “Hindu unity” against the “Muslim threat”, making the BJP – traditionally a party for higher caste Hindus – more appealing for lower caste Hindus.⁶³ In this manner, provocative Hindu processions passing through Muslim dominated areas are frequently used as a pretext for inciting tension and sometimes violence.⁶⁴ Confirming this pattern, [Table 1](#) shows that at least 25 internet shutdowns in India were issued before, during, or after a religious procession (although some Muslim processions did trigger shutdowns, Hindu processions were by far the majority).

The BJP is also indirectly responsible for the rise in India’s shutdowns by virtue of establishing a regulatory framework in 2017 that puts few restraints on the ability of authorized officials to issue an order. Not only are the terms used to justify shutdowns (“public emergency” and “in the interest of public safety”) overly broad and open to subjective interpretation, the decision-making process behind issuing an order also lacks transparency and public oversight.⁶⁵ Among officials interviewed for this report, one former DM admitted that an internet shutdown had become a “checklist item” for officials, noting

when there is a communal issue, an internet shutdown is the first thing people do.⁶⁶

Thus, by deepening religious divides, provoking communal incidents, and creating a loose regulatory framework, the BJP is *indirectly* responsible for the rise in the issuance

Table 1. Shutdowns triggered by religious processions.

No.	District	State	Month	Religious procession
1.	Godhra	Gujarat	September 2015	Ganesh Visarjan
2.	Bikaner	Rajasthan	October 2015	Encounter two religious processions, Muharram
3.	Bokaro	Jharkand	April 2016	Ram Navami
4.	Bhilwara	Rajasthan	December 2016	Barawafat, religious procession.
5.	Bhilwara	Rajasthan	December 2016	Religious procession
6.	Sikar	Rajasthan	March 2017	Gangaur procession
7.	Chittorgarh	Rajasthan	December 2017	Eid-e-Milad
8.	Bhadrak	Odisha	March 2018	Ram Navami
9.	East Champaran	Bihar	October 2016	Immersion of Durga idols
10.	Nawada	Bihar	September 2017	Taking of Durga idol to nearby village
11.	Bundi	Rajasthan	January 2018	Perform Puja
12.	Paschim Bardhaman	West-Bengal	March 2018	Ram Navami
13.	Bhagalpur	Bihar	March 2018	Hindu New Year procession
14.	Aurangabad	Bihar	March 2018	Ram Navami
15.	Samastipur	Bihar	March 2018	Ram Navami
16.	Tonk	Rajasthan	March 2018	Hindu New Year procession
17.	Bundi	Rajasthan	March 2018	Hanuman Jayanti procession
18.	Pali	Rajasthan	March 2018	Hanuman Jayanti procession
19.	Sitamarhi	Bihar	October 2018	Immersion of Durga Idols
20.	Tonk	Rajasthan	August 2018	Kanwariyas procession
21.	Paschim Bardhaman	West-Bengal	April 2019	Ram Navami
22.	Kendrapara	Odisha	June 2019	Eid al-Fitr
23.	Jaipur	Rajasthan	August 2019	Kanwariyas procession
24.	Jehanabad	Bihar	October 2019	Immersion of Durga Idols
25.	Damoh, Panna, Chhatarpur & Tikamgarh	Madhya Pradesh	November 2019	Eid-e-Milad-un-Nabi

of internet shutdowns in both BJP and non-BJP states. Indeed, even in BJP states shutdowns are issued as a common means to contain communal conflict as the party seeks to create politically manageable “frequent, small, low-intensity incidents” to “keep the pot boiling”, not mass violence.⁶⁷ Given this, I derived one additional testable hypothesis.

H3: Hindu-Muslim tensions trigger internet shutdowns in districts ruled by a BJP state government and in districts not ruled by a BJP state government.

Quantitative analysis

In order to empirically verify the BJP’s direct and indirect responsibility for the authoritarian practice of issuing internet shutdowns, I conduct a multilevel hierarchical logistic regression model estimating the probability of an internet shutdown in a district/month. As a robustness check, I also test my hypotheses at the state/month level. The analysis starts in January 2012, the year of India’s first internet shutdown (in J & K), and runs until March 2020. Notably, conducting a multilevel model allows for a district-level analysis to be made, while accounting for important systematic variation at the state-level. The intraclass correlation coefficient shows that 52% of the variation in shutdowns occurs between states.

Dependent variable

Internet shutdown

The SFLC.in database provides information on the dependent variable which measures whether at least one internet shutdown was issued in a district/month (0/1). If a shutdown continues into the next month, both the month in which the shutdown began, as well as the month in which it ended, score a 1. For the few shutdowns in the database where specific information on which districts were affected was lacking, I explain the coding decisions in the Appendix. There are 58,408 district/months included in the analysis, of which 585 experienced an internet shutdown.

Independent variables

BJP state

This variable measures whether a district is part of a BJP-run state (0/1). Information from the Election Commission India was used to determine the BJP's role in the state government. When this information was insufficient, additional news reports were traced to arrive at the answer. I also used news reports to determine whether there was a change in government without new elections. For instance, in November 2019 the BJP took over Maharashtra's government after some MLAs switched to the BJP. Based on this analysis, from 2012 through the first quarter of 2020, approximately 47% of all district/months were operating under a state government that was ruled, at least in-part, by the BJP (for reference, the month of government turnover is coded as ruled by a new state government). A separate variable, *BJP majority*, measures whether a district is part of a state where the BJP holds the absolute majority in the legislative assembly (0/1). This applies to approximately 32% of the district/months.

BJP state*Protest

To test H2 I measure protest using ACLED data on protests, defined as a public demonstration in which the participants do not engage in violence.⁶⁸ Protest events are aggregated per month/district and only start in January 2016. The count variable *protest* runs from 0 to 76 and approximately 38% of the district/months faced at least one protest.

BJP state*Hindu-Muslim tensions

Because no data exist measuring "communal tensions", available data on actual Hindu-Muslim riots are used to test H3. The Varshney-Wilkinson dataset is the most widely used source for Hindu-Muslim riots in India, but it ends in 1995⁶⁹ and the updated version only has data until 2010.⁷⁰ I therefore use ACLED data on riots, which defines riots as "violent events where demonstrators or mobs engage in disruptive acts".⁷¹ To separate Hindu-Muslim riots from other riots in India, both a Hindu-nationalist and a Muslim group must be listed as partaking actors.⁷² The count variable starts in January 2016, running from 0 to 6, measuring per district/month the number of Hindu-Muslim riots. Under this measure, only 0.43% of the district/months experienced at least one Hindu-Muslim riot. But because ACLED sometimes lists only one of the two rioting groups as partaking actors – even when the brief description of the riot clearly shows its communal

nature – I run separate models including a variable capturing Hindu-Muslim riots where merely one of the two groups is listed as participating actor.⁷³ When operationalized in this way, the variable runs from 0 to 34, with approximately 5% of all district/months experiencing a Hindu-Muslim riot.

Control variables

On a per district basis, I use Indian Census data to include the *percentage of Muslims*, the *percentage of Scheduled Castes*, and the *percentage of Scheduled Tribes*.⁷⁴ Because Hindu-Muslim riots are often deliberately provoked by holding processions through Muslim areas, it is important to control for the percentage of Muslims in a district, while Scheduled Castes (SCs) and Scheduled Tribes (STs) are historically disadvantaged groups that have frequently called for protests causing social and political unrest.⁷⁵ For similar reasons, I include ACLED data on *protests* and *riots* aggregated per month/district as controls. Because Hindu-Muslim tensions (including those causing shutdowns) are often deliberately provoked prior to elections, I also include a variable measuring whether *elections* (Vidhan Sabha or Lok Sabha) were held in that district/month *within 3 months* (0/1).⁷⁶ With shutdowns potentially more often issued in areas that are more difficult to control, I include (the log of) the *population size*⁷⁷ and PRIO-GRID data⁷⁸ on the *travel time* to an urban centre (50,000 inhabitants)⁷⁹ and the (log of) the *total land area* of a district.⁸⁰ To measure economic modernization, I include the *percentage of the population that is literate* per district⁸¹ as well as the (log of) *night lights* emission data from PRIO-GRID.⁸² As Beer and Mitchell explain, literacy provides a general indicator of the overall wealth and well-being of a population,⁸³ and light emissions correlate strongly with local levels of wealth as measured by surveys.⁸⁴ Finally, I incorporate *the distance to the (most nearby) border* of a land-contiguous neighbouring country.⁸⁵ Given the various insurgencies in India's border regions, internet shutdowns are likely to be inversely related to the distance to the border. To take into account the serial autocorrelation, a one-month lag of the dependent variable is included in all models.

Results

Table 2 shows the odds ratios of a multilevel logistic regression analysis testing whether internet shutdowns are more frequently issued in districts ruled by a BJP-run state government or in districts not under BJP rule (H1). In the right column protests and riots are included as controls, which nearly cuts the number of included observations in half. As the table demonstrates, districts in BJP states have a significantly higher chance to face an internet shutdown than districts in non-BJP states in both model specifications. The odds of a shutdown are 3.1 points higher for a district in a BJP-led state compared to a district in a non-BJP-led state (other variables held at their mean), or in probability terms, 0.76 for districts in BJP-run states against 0.24 for districts in non-BJP states. When protests and riots are included, the odds of a shutdown are still 2.03 points higher for districts in BJP states than for districts in non-BJP states (or 0.67 against 0.33 in probability terms). Testing the same models with the variable BJP majority instead of BJP state (not shown in the table) provides even stronger results (odds ratios for the BJP variable of 6.03*** without and 2.60*** with protest and riots included as controls), demonstrating that in states where the BJP holds the

Table 2. Internet shutdowns in districts in BJP-states and non-BJP states.

	Internet shutdown		Internet shutdown	
	Logit		Logit	
	Odds Ratios		Odds Ratios	
BJP state	3.096***	[0.389]	2.025***	[0.277]
% Muslim	1.979	[1.070]	2.536*	[1.421]
Elections in 3 months	0.148***	[0.067]	0.082***	[0.044]
Population size (log)	1.323***	[0.128]	1.212*	[0.132]
% Literate	2.745	[2.171]	2.55	[2.200]
% ST	1.224	[0.395]	1.352	[0.493]
% SC	1.601	[1.648]	2.446	[2.599]
Land area (log)	0.867	[0.106]	0.932	[0.120]
Travel time (log)	1.129	[0.221]	1.054	[0.222]
Night lights (log)	1.661**	[0.394]	1.645**	[0.407]
Distance to border	0.999*	[0.001]	0.999*	[0.001]
Internet shutdown (t-1)	8.721***	[1.070]	4.228***	[0.587]
Protests			1.012	[0.010]
Riots			1.275***	[0.037]
Random effects par.				
Var(_cons_state)	3.012***	[1.112]	2.943***	[1.100]
N	58,408		30,396	
No. of groups	30		30	

*** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$. Note: Random effects parameters are not transformed.

absolute majority the likelihood of a shutdown is much higher than in states where it has to share power. Further noteworthy is that in contrast to states in Sub-Sahara Africa, internet shutdowns in India are much less likely to occur close to elections than in normal political times (odds of 0.15 that they happen close to elections against 1 that they do not occur close to elections). Interacting the election variable

Table 3. Internet shutdowns and protests in districts in BJP-states and non-BJP states.

	Internet shutdown		Internet shutdown	
	Logit		Logit	
	Odds Ratios		Odds Ratios	
BJP state	2.124***	[0.305]		
Protests	1.043***	[0.013]	1.017	[0.013]
BJP state*Protests	0.982	[0.015]		
BJP abs. maj			2.537***	[0.421]
BJP abs. maj.*Protests			1.028*	[0.017]
% Muslim	2.32	[1.296]	2.485	[1.387]
Elections in 3 months	0.176***	[0.080]	0.189***	[0.085]
Population size (log)	1.285**	[0.141]	1.293**	[0.141]
% Literate	3.232	[2.783]	3.045	[2.615]
% ST	1.307	[0.474]	1.464	[0.538]
% SC	2.137	[2.254]	2.142	[2.263]
Land area (log)	0.936	[0.119]	0.935	[0.120]
Travel time (log)	1.129	[0.234]	1.081	[0.226]
Night lights (log)	1.777**	[0.434]	1.747**	[0.429]
Distance to border	0.999*	[0.001]	0.999*	[0.001]
Internet shutdown (t-1)	4.210***	[0.580]	4.087***	[0.564]
Random effects par.				
Var(_cons_state)	3.159***	[1.178]	3.061***	[1.128]
N	30,396	30,396	30,396	30,396
No. of groups	30	30	30	30

*** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$. Note: Random effects parameters are not transformed.

with the BJP variable (model not shown), moreover shows that in both BJP and non-BJP states upcoming elections decrease the probability of a shutdown, yet possibly for different reasons: Whereas non-BJP states might (simply) fear for losing votes because of the shutdowns' strong unpopularity amongst the public, BJP states might be even more reluctant to control communal conflict than in normal political times.

Table 3 displays a test of whether BJP-states respond more often to protest in a district with an internet shutdown than non-BJP states (H2). Rejecting H2, the left column shows an insignificant interaction term, revealing that protests in districts in BJP-states do not lead to more internet shutdowns than protests in districts in non-BJP-states. In the right column, the variable BJP majority is interacted with protests. This interaction term is significant with a 90% confidence interval, showing (some) evidence that in districts where the BJP holds the absolute majority protests are more often met with an internet shutdown than in those districts that are not part of a state where the BJP rules on its own.

Figure 4 further illustrates this point. In a district where the BJP holds the absolute majority, the predicted probability of an internet shutdown increases from 0.4% when there are no protests to almost 3.7% when there are 30 protests. By contrast, in districts where the BJP does not hold the absolute majority (at the state level) the probability of a shutdown is not affected by the level of protests. There is thus some evidence that protests are likely to be met with an internet shutdown, particularly in districts where the BJP is the sole ruler at the state level. The fact that this interaction term is only significant at the 90% CI level, and that the other interaction term (with BJP state) is not significant at all, might be because the protest variable captures all protests – including those that do not pose a threat to the BJP.

Finally, Table 4 provides a test of whether Hindu-Muslim tensions trigger internet shutdowns and, if so, whether this happens in districts ruled by a BJP state government

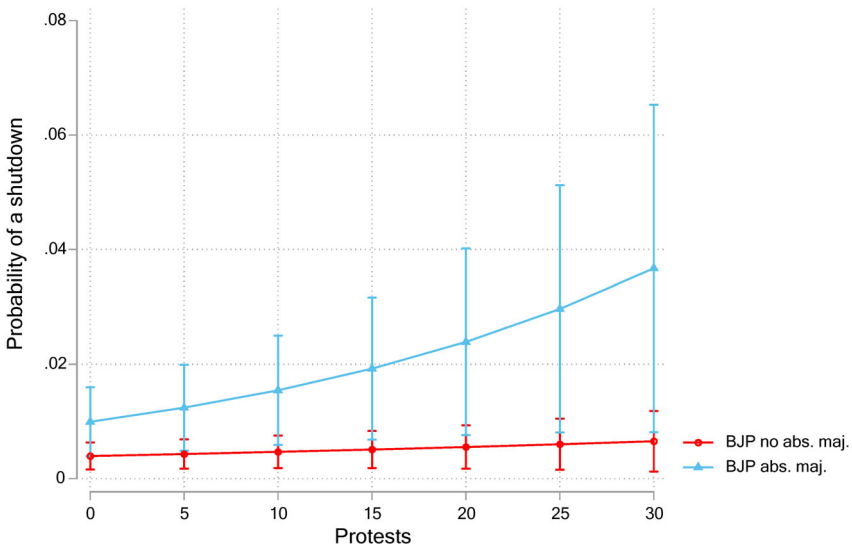


Figure 4. Probability of a shutdown in a district across different levels of protest for states where the BJP holds the absolute majority and states where it does not (CI 90%).

Table 4. Internet Shutdowns and Hindu-Muslim tensions in districts in BJP-states and non-BJP states.

	Internet shutdown		Internet shutdown		Internet shutdown	
	Logit		Logit		Logit	
	Odds Ratios		Odds Ratios		Odds Ratios	
BJP state	2.013***	[0.273]	2.012***	[0.273]		
Hindu-Muslim tensions	2.403***	[0.504]	2.372***	[0.589]	2.355***	[0.583]
BJP state*Hindu-Muslim tensions			1.046	[0.480]		
BJP abs. maj.					2.634***	[0.433]
BJP abs. maj.*Hindu-Muslim tensions					1.05	[0.482]
% Muslim	2.339	[1.310]	2.339	[1.310]	2.384	[1.337]
Elections in 3 months	0.165***	[0.076]	0.165***	[0.076]	0.176***	[0.082]
Population size (log)	1.259**	[0.138]	1.260**	[0.138]	1.260**	[0.138]
% Literate	3.179	[2.734]	3.182	[2.737]	3.25	[2.801]
% ST	1.326	[0.481]	1.326	[0.481]	1.355	[0.493]
% SC	2.053	[2.175]	2.055	[2.178]	2.097	[2.226]
Land area (log)	0.962	[0.121]	0.961	[0.122]	0.961	[0.122]
Travel time (log)	1.108	[0.229]	1.108	[0.229]	1.099	[0.227]
Night lights (log)	1.767**	[0.432]	1.765**	[0.432]	1.756**	[0.431]
Distance to border	0.999*	[0.001]	0.999*	[0.001]	0.999*	[0.001]
Internet shutdown (t-1)	4.224***	[0.582]	4.224***	[0.582]	4.094***	[0.566]
Protests	1.031***	[0.009]	1.031***	[0.009]	1.032***	[0.009]
Random effects par.						
Var(_cons_state)	3.09	[1.152]	3.089	[1.151]	3.212	[1.185]
N	30,396		30,396		30,396	
No. of groups	30		30		30	

*** $p < 0.01$, ** $p < 0.05$, * $p < 0.1$. Note: Random effects parameters are not transformed.

as well as in districts not ruled by the BJP. As the table shows, the Hindu-Muslim tensions variable is a significant and positive predictor for internet shutdowns. Figure 5 demonstrates the predicted probabilities for different levels of Hindu-Muslim tension (with 95% CI). If Hindu-Muslim tensions in a district increase from 0 to 2, the predicted probability of an internet shutdown increases from 0.06% to 3.3%. If

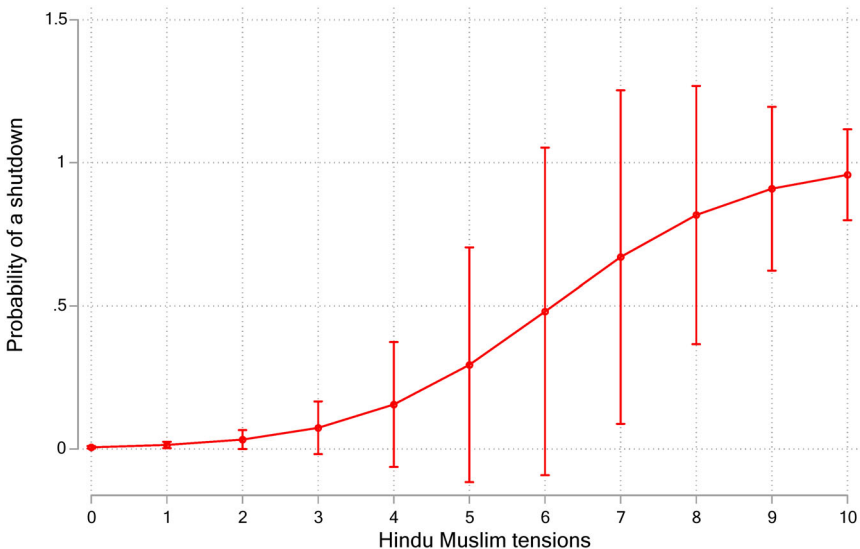


Figure 5. Internet shutdowns and Hindu-Muslim tensions (CI 95%).

there are eight incidents of Hindu-Muslim tension, the predicted probability of a shutdown becomes 67%. Confirming H3 that Hindu-Muslim tensions trigger shutdowns across the country, and thus not only in BJP-run states, the interaction terms of BJP state*Hindu-Muslim tensions and BJP majority*Hindu-Muslim tensions are both insignificant.

Robustness checks

For a robustness check, I included the differently operationalized Hindu-Muslim tensions variable (with just one of the two groups participating in the riot). As shown in Appendix A1, the results remain the same throughout. Hindu-Muslim tensions increase the likelihood of a shutdown across the country, not just in BJP-run states. I also tested my three hypotheses at the state level rather than the district level. In the analysis, the dependent variable measures whether at least one shutdown occurred in a state/month (0/1). Out of the 2,254 state/months included in the analysis, 103 have an internet shutdown. While some of the independent variables were already measured at the state level (BJP state, elections within 3 months) or were readily available in that form (all Indian Census data), most other variables were collapsed at their mean. Only for the variable measuring the land area the total of all districts was used.

As the three tables in the Appendix (A2–4) show, nearly all of my earlier findings also hold at the state level. The effect of the BJP's participation in the state government (H1) becomes stronger (odds ratio of 4.127*** against 3.096*** at the district level), while the effect of Hindu-Muslim tensions remains positive and significant. Similar to the district-level findings, Hindu-Muslim tensions trigger internet shutdowns in both BJP and non-BJP states.⁸⁶ Only the variable interacting the BJP's absolute majority in a state with protests – which was significant at the district-level with a 90% CI – turns out to be insignificant at the state level. As mentioned above, this could be due to the inclusion of protests that are not threatening to the BJP and which therefore do not need to be repressed via a shutdown order.

Conclusions

Based on qualitative fieldwork conducted in two Indian states, and a quantitative data analysis of recorded internet shutdowns across the country, this article has demonstrated that (1) rather than a centrally coordinated, top-down campaign from the central government, India's shutdowns can be better understood in the context of India's federal system in which state-level politics is crucial, and (2) the Hindu-nationalist BJP party is both directly and indirectly responsible for India's shutdowns given that BJP-run state governments issue more shutdowns than non-BJP states (the direct responsibility) and the party has also helped to create an environment highly conducive to the issuance of shutdowns (the indirect responsibility). By fostering religious polarization as well as by setting up a highly ineffective regulatory system, the BJP has contributed to a situation in which issuing an internet shutdown amidst "communal tensions" has become the norm.

Looking to the future, the authoritarian practice of issuing internet shutdowns is likely to continue to be a threat to freedom in India. In the first four months of 2021 alone, no fewer than 18 shutdowns were issued across the country. Despite large public outcries and advocacy campaigns, few signs indicate that the increased

use of shutdowns will abate. Deciphering who issues the shutdowns in India and why they do so is therefore a critical first step in reversing this problematic trend. As I have shown, the dramatic rise of shutdowns in India cannot be understood in isolation from the country's broader democratic backsliding under the BJP, and the party's polarizing *Hindutva* agenda in particular. The article therefore urges other studies on internet shutdowns to also move beyond a narrow understanding of the shutdown as a "dictator's last-straw response", and pay more attention to the context that enables their issuing.

Notes

1. Freedom House, *Freedom in the World 2021*, 2.
2. Alizada et al., *Autocratization Turns*.
3. Internetshutdowns.in., 6 shutdowns in 2014, 5 in 2013, and 3 in 2012.
4. Taye and Access Now, *Targeted, Cut Off*.
5. Kathuria et al., *The anatomy*; Mawii et al., *Kept in the Dark*.
6. Keremoglu and Weidmann, "How Dictators Control," Rydzak, Karanja and Opiyo, "Dissent Does," Wagner, "Understanding Internet."
7. Schofield, *Kashmir in Conflict*.
8. Jammu Kashmir Coalition of Civil Society, "Kashmir's Internet"; Geelani, *Kashmir*.
9. Software Freedom and Law Centre, India, *Living in Digital Darkness*.
10. In India, selective bans on complete platforms are (thus far) relatively uncommon, although amidst the increased tensions between China and India in mid-2020, the GoI banned various Chinese apps.
11. For instance: Kathuria et al., *The Anatomy*; Mawii et al., *Kept in the Dark*.
12. Kathuria et al., *The Anatomy*; Mawii et al., *Kept in the Dark*; Purdon, Ashraf and Wagner, *Security v Access*.
13. Hassanpour, "Media Disruption"; Hassanpour, *Leading from the Periphery*; Rydzak, Karanja and Opiyo, "Dissent Does," Rydzak, *Of Blackouts*.
14. Howard, Agarwal and Hussain, "When Do States."
15. Freyburg and Garbe, "Blocking the Bottleneck."
16. Taye and Access Now, *The State of Internet*; Taye and Access Now, *Targeted, Cut Off*; Collaboration on International ICT Policy in East and Southern Africa, *Despots and Disruptions*.
17. Freyburg and Garbe, "Blocking the Bottleneck."
18. Wagner, "Understanding Internet," 3932.
19. Hellmeier, "The Dictator's Digital Toolkit."
20. Deibert et al., *Access Controlled*.
21. Keremoglu and Weidmann, "How Dictators Control."
22. Vanderhill, *Autocracy & Resistance*, 177.
23. Glasius, "What Authoritarianism Is," 527.
24. Alizada et al., *Autocratization Turns Viral*, 19.
25. Internetshutdowns.in. News reports are considered accurate in the database by default. If there are conflicting reports, SFLC.in tries to verify the information from primary sources living in the affected areas. Individuals reporting an internet shutdowns are always verified by soliciting corroborating reports from other sources. Only verified shutdowns are added to the database.
26. India's federal system comprises of states that are further subdivided into divisions and districts. Whereas Goa has only 2 districts, India's most populous state, Uttar Pradesh, has 75 districts.
27. Software Freedom and Law Centre, India, *Living in Digital Darkness*.
28. Telecom Regulatory Authority of India, *The Indian Telecom*.
29. Kathuria et al., *The anatomy*; Mawii et al., *Kept in the Dark*.
30. Internetshutdowns.in.
31. The officials, accessed through snowball sampling, were generally open to talk and willing to share other contacts. This might partly be because six of them were based in Rajasthan, a state that is more transparent than others on the issuing of shutdowns. I selected and ultimately

- interviewed officials who were close to the shutdowns' decision-making process, making it likely that the biases in my sample (i.e. all English-speaking, mostly male) are the result of processes within the bureaucracy itself, and thus not of my sampling.
32. Wilkinson, *Votes and Violence*, 65.
 33. Software Freedom and Law Centre, India, *Living in Digital Darkness*, 9.
 34. Issued under Section 7 of the Indian Telegraph Act, 1885, the "Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules".
 35. Das, *The Civil Service*, 32.
 36. Vaishnav and Khosla, *The Indian Administrative Service*, 9.
 37. *Ibid.*, 10.
 38. Das, *The Civil Service*, 94.
 39. Government of India, *Civil Services Survey*.
 40. Chandel, "Under Modi."
 41. N.R.K Reddy, personal communication, February 24, 2020.
 42. Second Administrative Reforms Commission, *15th Report*, 184; Iyer and Mani, "Religious Riots."
 43. Kathuria et al., *The Anatomy*. Besides the report, I also draw on the fieldnotes of the interviews that the authors kindly shared with me.
 44. (Anonymous) journalist, personal communication, August 4, 2020; (Anonymous) social activist, personal communication, March 11, 2020.
 45. Bhatia, "Haryana Jat agitation."
 46. Verma, "Administrative Failure."
 47. Among others: State Police officer North-Eastern state, personal communication, February 15, 2020; former DM Eastern state, personal communication, December 1, 2020.
 48. Chatterji, Hansen, and Jaffrelot, *Majoritarian State*, 4. Anand, *Hindu Nationalism*.
 49. Daniyal, "As UP."
 50. State Police officer North-Eastern state, personal communication, February 15, 2020.
 51. Human Rights Watch, "*Shoot the Traitors*". The Citizen Amendment Act, passed by parliament in December 2019, offers fast track citizenship for non-Muslim migrants from Bangladesh, Afghanistan and Pakistan.
 52. Internetshutdowns.in.
 53. Human Rights Watch, "*Shoot the Traitors*".
 54. Desai, "The Rise"; Johari, "We Feel."
 55. Internetshutdowns.in.
 56. Venu, "The Creeping."
 57. Hansen, "Democracy Against," 37.
 58. Rai, "Kashmiri's," 261.
 59. Malini Agarwal, personal communication, February 24, 2020; K.C. Verma, personal communication, February 19, 2020; Banaji and Bhat, *Whatsapp Vigilantes*; Arun, "On Whatsapp."
 60. Acces Now data. This number should be interpreted with caution. Firstly because for many shutdowns there is limited news coverage. Secondly because even for shutdowns with a lot of news coverage the "true" cause is difficult to determine: Categories like "communal violence", "political instability" and "protest" can overlap.
 61. Rogenhofer and Panievsy, "Antidemocratic Populism."
 62. *Ibid.*
 63. Iyer and Shrivastava, "Religious Riots"; Jaffrelot, "The Politics," 80; Brass, *The Production*.
 64. Engineer, *Communal Riots*; Brass, *The Production*; Wilkinson, *Votes and Violence*.
 65. Nazak, "The Legal Disconnect."
 66. former DM Eastern state, personal communication, December 1, 2020.
 67. Pai and Kumar, *Everyday Communalism*, 3.
 68. Raleigh et al., "Introducing ACLED."
 69. Varshney and Wilkinson, "Varshney-Wilkinson Dataset."
 70. Kaysser et al., "Hindu-Muslim Violence."
 71. Raleigh et al., "Introducing ACLED."
 72. Hindu-nationalists groups included (as listed in the ACLED data as participating actors): Hindu Group (India), ABVP, BJP, Bajrang Dal, VHP, HJM, HJS, Hindu Munnani, Cow

- Protection Group, Gau Rakshak, BJYM, Communal Group, HYV, HMK, BJP-MM and RSS. Muslim groups included: Muslim Group (India).
73. For example, the “communally driven tensions” in the state of Himachal Pradesh on 27 December 2018, which led to the burning of shops belonging to minority members, only lists only four Hindu-nationalist groups (and no Muslim group) as participating actors.
 74. Census of India.
 75. Rydzak, *Of Blackouts*.
 76. Information on the poll and release date of the elections comes from Harbers, Bartman and van Wingerden, “Conceptualizing and measuring.” If the polling date and release date do not fall in the same month, the polling date is used to count three months backwards for this variable. As the used database ends in 2015, data from the Election Commission India is used to fill in missing information for more recent years.
 77. Census of India.
 78. In QGIS: PRO-GRID controls were downloaded, joined on attributes with PRIO-GRID shapefile, and then GADM adm2 India shapefile was used as input layer to join spatially with PRIO GRID file.
 79. Uchida and Nelson, *Agglomeration Index*.
 80. Weidmann, Kuse and Gleditsch, “The Geography.”
 81. Census of India.
 82. Tollefsen, Strand and Buhaug, “PRIO-GRID.”
 83. Beer and Mitchell, “Comparing Nations,” 1007.
 84. Weidmann and Schutte, “Using Night.”
 85. Weidmann, Kuse and Gleditsch, “The Geography.”
 86. There is even some evidence (CI 90%) that Hindu-Muslim tensions cause more shutdowns in non-BJP-run states.

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