

RESEARCH NOTE

Does the State Promote Communal Violence for Electoral Reasons?

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To what extent can we hold the Indian states responsible for communal riots? Were the Gujarat riots of 2002 typical, establishing the complicity of the state in *all* riots or only in the Gujarat riots? The question is important for, according to India's constitution, law and order is the responsibility of states.

Predictably, when communal violence breaks out, much is almost always said about how the state neglected its duties, or might even have instigated riots, for political benefits. If only the state wanted to prevent riots, as the argument goes, its hold over the police would allow it to do so. It is the electoral calculations of the politicians in power, and the benefits they perceive from violence, that stop the state from containing riots. Ruling politicians are the bosses of civil servants and police officers, who must, in the end, be politically compliant, not legally correct. Political calculations, as a consequence, triumph over the legal responsibilities of the state, and riots erupt.

In recent times, this line of reasoning has been revived by India's National Advisory Council (NAC), headed by Sonia Gandhi.¹ Gandhi, of course, is also the leader of the Congress party, which gives the NAC and its proposals remarkable visibility, sometimes even power.² The debate has been intense.³

On how to prevent communal violence, two proposals of the NAC are key, *each seeking to counter electoral or political calculations of elected politicians*. First, the NAC envisions the creation of a new state institution: a National Authority for Communal Harmony, Justice, and Reparation, headquartered in Delhi. The National Authority will be given police and investigative staff; it can examine the conduct of army officers during riots; it will be given the powers of a civil court for inquiry and investigation; and on matters concerning communal violence, all district magistrates and police commissioners will be required to report to it, sidestepping the elected state government.

Second, if communal violence against minorities takes place, it will automatically be assumed that the civil servant in charge of the administrative unit has not exercised "lawful authority vested in him or her under law" and he or she "shall be guilty of dereliction of duty." The proposals, if passed into law, make civil servants legally liable for riots. They will be fired, demoted, or reprimanded, if a riot takes place on their watch.

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By making the civil servant liable, the NAC seeks to strengthen the civil servant against the politician. The NAC's assumption is that if civil servants were personally liable for riots, there is a greater chance that they would act according to the rulebook, not wait for the political signals from above. And, if they reported directly to a national institution, they would be under lesser pressure to abide by the calculations of elected state-level politicians.

These proposals invite a perennial question: What evidence do we have that ruling politicians or state governments instigate riots? Is this true of some riots in India, or all?

While the claim about state complicity has often been made in political quarters, the evidence used to be sketchy in academic circles, based as it was on a few chosen riots.⁴ It led to what social scientists now routinely call "selection bias."⁵ The problem of selection bias is that one cannot really make a general claim if only similar cases are examined. Here is how one can summarize the crux of the matter:

Suppose on the basis of commonalities, we find that inter-ethnic economic rivalry (a), polarized party politics (b), and segregated neighborhoods (c) explain ethnic violence (X). Can we, however, be sure that our judgments are right? What if (a), (b) and (c) also exist in peaceful cases (Y)? In that case, either violence is caused by the intensity of (a), (b) and (c) in X; . . . or there is yet another factor (d), which differentiates peace from violence. It will, however, be a factor that we did not discover precisely because peaceful cases were not studied with the conflictual ones. . . . In short, until we study ethnic peace, we will not be able to have a good theory of ethnic conflict.⁶

In principal, the problem of selection bias is resolvable if one deploys what has come to be called the large-n method of analysis, covering *all cases relevant to a problem*, not simply a few, or those that look similar.⁷ Wilkinson has done the most systematic large-n analysis of riots yet.⁸ He covers the entire universe of Hindu-Muslim riots in India (1950–95) and especially concentrates on Uttar Pradesh, which would be the eighth largest state in the world, if it were independent. Wilkinson's claims are especially relevant to the NAC's proposals, and they call for special scrutiny. The NAC cannot find a better evidentiary ally in the world of research.

Wilkinson's Theory of Communal Riots⁹

Wilkinson's argument can be modeled as follows:

Number of Riots/Deaths = f (p[riots break out] ; State Decision to Stop/Prevent Riots)



f (1. Closeness of local electoral race, 2. Upcoming election [6 months], 1. electoral competitiveness [state-level] 2. Minorities in government coalition)

As the model illustrates, Wilkinson's electoral argument operates at two levels: the local and the state. At the local level, Wilkinson argues that the closeness of the electoral race and the proximity of the upcoming elections predict the probability that communal riots will occur. These local-level factors are only part of the story, however. According to Wilkinson, the state plays the definitive role in determining the degree of violence: "Whether violence is bloody or ends quickly depends . . . primarily on the will and capacity of the government that controls the forces of law and order."¹⁰

What, then, will induce the state to deploy adequate force to protect ethnic minorities from violence? "(G)overnment will increase the supply of protection to minorities when . . . minorities are an important part of their party's current support base. . . . Or when the overall electoral system in a state is so competitive—in terms of the effective number of parties—that the governing party will have to negotiate or form coalitions with minority supported parties."¹¹ In sum, the level of competitiveness at the local level tends to *increase* the chances of riots, but competitiveness at the state level would *decrease* the chances of riots. In what follows, we briefly show the critical flaws in both arguments.

State-Level Factors

Wilkinson uses the well-known concept of "effective number of parties" to measure electoral competition at the state level. Deploying that measure, Wilkinson says that firm support for his theory comes from how Indian states handled the 2002 riots. Having a *bipolar* electoral arena split between the Bharatiya Janata Party (BJP) and the Congress party, Gujarat in 2002 had among the lowest number of effective parties. It also contained a party in power, the BJP, which had *no need for Muslim votes*. In contrast, Uttar Pradesh and Bihar had had a multipolar electoral arena for over a decade and a half. Both states have also had among the highest number of effective parties in the country. Moreover, the ruling parties in both states were dependent on Muslim support in 2002. Wilkinson extends the comparison further to include Madhya Pradesh and Rajasthan. Both, adjacent to Gujarat, might have had bipolar electoral arenas, split mainly between the BJP and Congress, and thus had a low number of effective parties, but in 2002, the Congress was in power in both. Unlike the BJP in Gujarat, the Congress needed Muslim votes.

In short, Gujarat in 2002 had the worst of both worlds; Uttar Pradesh and Bihar (and Kerala) the best of both; and Madhya Pradesh and Rajasthan were in between. As a result, argues Wilkinson, Gujarat had awful riots, but Uttar Pradesh, Bihar, Madhya Pradesh, and Rajasthan entirely avoided them.

It is noteworthy that the Varshney-Wilkinson dataset (2006),¹² on which Wilkinson's argument is heavily based, also provides many examples that go against his claims. If the BJP ruled Gujarat in 2002, the Congress party, which has often courted Muslim votes and has also been dependent on them, ruled Gujarat on the following occasions when riots took place: January 1982; March 1984; March–July 1985; January, March, and July 1986; January, February, and November 1987; April, October, November, and December 1990; January, March, and April 1991; and January and July 1992. Only in 1995 did the BJP, opposed to Muslims, come to power in Gujarat. Riots have been endemic in Gujarat for much longer.

Counter-examples from other Indian states are also present in the Varshney-Wilkinson dataset (2006). The Congress party was in charge of the Maharashtra government, when riots broke out in Mumbai in January 1993. During the awful 1980s riots in Uttar Pradesh, the Congress party ran state governments; moreover, Indira Gandhi, who appealed for Muslim votes for most of her political life, was in power in New Delhi at that time. Finally, the 1961 riots took place, when Nehru was India's Prime Minister. No one doubts that Nehru was deeply committed to the welfare and security of India's Muslims. Furthermore, almost all states of the country were Congress-ruled during the Nehru era (1947–64).

It is well known that large- n regression analysis is basically about the central tendency of a scatter plot of data points, something which a couple of outliers might not significantly alter. However, counterexamples questioning Wilkinson's theory are far too many to be brushed aside as outliers. Wilkinson's argument can at best explain why the BJP-led state governments might not want to stem riots. But why did Nehru, Indira Gandhi, and Congress-led state governments fail to protect Muslims? What electoral benefit did they receive?

A practitioner of regression analysis might wonder how the same dataset can lead to such contradictory inferences. It turns out that *Wilkinson has not used "need for Muslim vote" as a variable in his state-level regressions.*¹³ Only one of the two variables in Wilkinson's model—the effective number of parties—has been used in his regressions. In effect, the full model, as described in the narrative, is not statistically tested. Claims are made about the need for Muslim vote as a cause of state behavior, but Wilkinson does not furnish systematic statistical evidence, only some examples.

Local-Level Factors

Wilkinson also argues that higher levels of electoral competition in a town lead to a stronger likelihood that Muslim-Hindu riots will erupt. He gathers data on all towns in Uttar Pradesh (UP), India's largest state, with populations of over 20,000. His final dataset includes a total of 167 towns, with data gathered for the years 1970–1995.

To test for the impact of local electoral competition on riots in towns, Wilkinson gathers data on the closeness of assembly elections at the constituency level. He creates a dummy variable, *VS CLOSE* = 1, if the previous state assembly election was won with less than a 5 percent margin, and 0 otherwise. He then matches this constituency data with the town-level data on riots, and estimates the relationship between the two. The regression indicates that *VS CLOSE* and the number of ethnic riots and deaths in towns are significantly correlated. Wilkinson interprets this evidence as a verification of his theory about local competitiveness and riots.

Does this correlation indeed suggest a systematic relationship between the two variables? The following sections consider three issues.

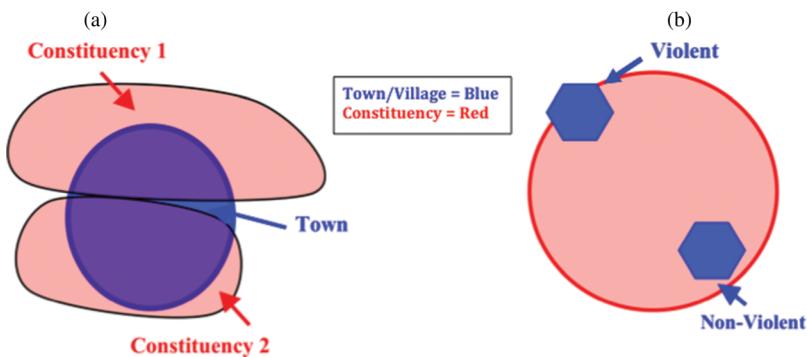
Towns versus constituencies. The data on riots, used as the dependent variable in the Wilkinson regressions, are recorded in the Varshney-Wilkinson dataset (2006) at the town level, and the electoral competitiveness data, used on the independent variable side of the equation, are measured at electoral constituency level. But, towns and constituencies are two different units in India: their sizes rarely coincide, and they are drawn up

by two different bureaucracies. Towns are a census classification; constituencies are an electoral classification. Town sizes differ a great deal, but constituency sizes are roughly the same. Town sizes range from 5,000 people (Class V towns) to 100,000 people and above (Class I towns); assembly constituencies have an approximate size of 200,000 voters per constituency in UP at this point. This mismatch opens the door for two distinct possibilities.

1. The “single town, multiple constituencies” problem: instances where a town in the dependent variable is divided into more than one assembly constituency;
2. The “multiple towns, single constituency” problem: instances where an assembly constituency contains more than one town in the dependent variable.

Figure 1 illustrates what we have in mind.

FIGURE 1
(A) SINGLE TOWN, MULTIPLE CONSTITUENCIES; AND (B) MULTIPLE TOWNS, SINGLE CONSTITUENCY
(COLOR FIGURE AVAILABLE ONLINE).



The key question is: which towns belong to which constituencies? The question would be trivial if the towns in each assembly constituency were either *all non-violent* or *all violent*, or if no towns crossed constituencies. However, problems of inference will be irresolvable if one town in a constituency is violent but others are not, or if towns cross constituencies. As one would logically expect from the varying size of towns and unvarying size of assembly constituencies, both possibilities are not simply hypothetical but real. In such a situation, the variation in the dependent variable is not captured by the independent variable: a constituency’s level of electoral competitiveness could predict both violence and non-violence.

Consider an example of the larger problem. During 1978–2004, the city of Kanpur was split into *seven* assembly constituencies.¹⁴ The riot deaths for Kanpur in the Varshney-Wilkinson dataset were only for Kanpur city as a whole. The dataset has no reliable information on where exactly in the city the deaths took place, let alone in which constituencies the deaths fell. On what basis did Wilkinson distribute the riot deaths over the seven constituencies—equally; as a graduated proportion of the total

and if so, on what grounds; or did he dump all deaths into one of the seven constituencies? Wilkinson has never clarified the basis for the allocation of deaths. As such, we don't know what the regression results really demonstrate.

Another analytical tangle should be noted, making the allocation of riot deaths even more intractable. The boundaries of the electoral constituencies remained the same all over India during 1977–2004, but they were different before 1977 and after 2004. Wilkinson's UP regressions cover the period 1970–95. This period had two distinct periods of boundary-making for constituencies. The constituencies were not the same during 1970–77 and 1978–1995. They were different, both in terms of their sizes and what parts of the town they incorporated. How did Wilkinson figure out the distribution of deaths over constituencies both before and after 1978?

Mapping towns onto their respective assembly constituencies is a pre-requisite for Wilkinson's argument. Note, however, that scholars have only recently started plugging this gap and not yet fully. In the most systematic treatment of the problem, Mohd. Sanjeer Alam argues: "(T)he administrative division of the country in terms of districts and sub-district units bears no direct relationship to the electoral map of the country in terms of Lok Sabha, assembly and panchayat or municipality constituencies. . . . The problem is not that of a lack of a perfect fit or that of incongruity in a small number of cases. . . . (T)he problem is that of no fit at all or that of lack of correspondence in an overwhelming majority of cases."¹⁵ And, this is so, because administrative units are not uniform in size of population, but the constitution requires that electoral constituencies must have roughly similar demographic size.

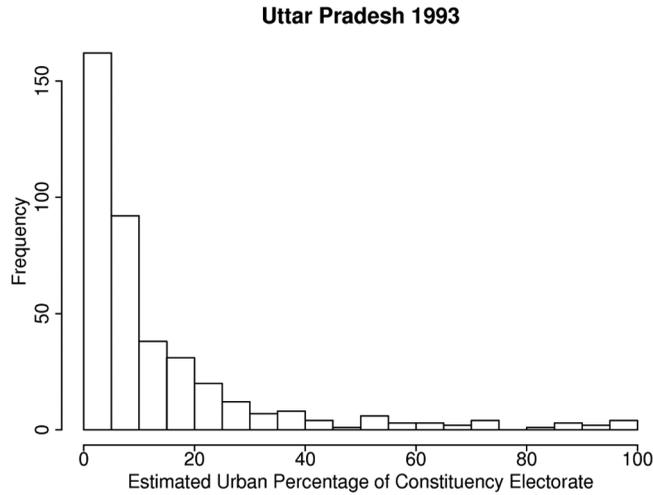
Alam also reports that using newer information made available through the Right to Information (RTI) Act, the Lokniti project of the Centre for the Study of Developing Societies has started looking at the relationship between constituencies and towns/districts statistically. But it should be noted that RTI was not passed in 2004, so such information was not available when Wilkinson wrote his book. As a consequence, it is a mystery how Wilkinson allocated towns—and deaths—to constituencies.

The urban assumption. The constituency-level data Wilkinson employs contains information for the closeness of the constituency race relevant to *all* towns and villages that comprise each constituency. But Wilkinson has truncated these statistics to focus only on urban population centers—towns with populations over 20,000. Is this truncation justified?

The truncation would be justified if the towns in Wilkinson's dependent variable constituted a significant portion of each assembly constituency. Unfortunately, this is not the case. Data provided by the Centre for the Study of Developing Societies (CSDS), Delhi, allow us to estimate the urban percentage of each Uttar Pradesh assembly constituency in 1993. Figure 2 presents a histogram of these data.

In 1993, the mean estimated urban percentage of the electorate per constituency in Uttar Pradesh was 16.7%. The median was considerably lower at 7.9%—meaning that in 1993, the urban electoral population constituted less than 8% of the total constituency population in 50% of the 425 UP assembly constituencies.¹⁶ These data imply that Wilkinson's towns constitute a very small share, on average, of the assembly constituencies of which they are a part. If constituency-level electoral competitiveness is

FIGURE 2
ESTIMATED URBAN PERCENTAGE OF CONSTITUENCY ELECTORATE IN UTTAR PRADESH 1993.



a cause of ethnic riots and deaths, as Wilkinson claims, then why does it only affect a small percentage of the constituency? Should it not affect the other villages and towns within the constituency? More importantly, why does such competitiveness seem to affect larger towns more than the smaller ones? Town size is a statistically significant variable in all his regression results (Wilkinson 2004: 43).¹⁷

The six-month proxy. Wilkinson deploys the “six months prior to election” proxy to capture the tensions that arise prior to an election (Wilkinson 2004: 42-3). This variable makes sense in a presidential system, where we know for sure when elections will take place. In a parliamentary system, this variable can be meaningful in conditions of political stability—when governments formed by parties or coalitions have the capacity to last till the end of the term. But if coalitions and parties lose this capacity, midterm elections can be expected.

It is ironic that Wilkinson uses this proxy for the period 1970–95. The proxy may have had some validity before 1967, as UP’s political history reveals that until 1967, elected governments completed their terms. Political actors could, therefore, form expectations about when elections would take place. The period after 1967 was full of political instability and mid-term elections, and it was often impossible to predict when elections would occur. During 1970–95, the following elections were mid-term, or took place surprisingly early, meaning before the expected end of the government: 1978 (after the emergency), 1980 (fall of Janata government), 1984 (after Mrs. Gandhi’s assassination), 1991 (after the fall of the Chandra Shekhar government), and 1993 (after the suspension of the BJP government).

The six-month proxy used by Wilkinson only makes sense *ex post*; it has no *ex ante* value in the conditions prevailing in UP during 1970–95. However, if strategic use of violence for electoral victories has any meaning, it has to be an *ex ante*, not an *ex post*, variable.

In sum, both on state and local levels, the latest version of a state-centric theory of communal violence is implausible.

Conclusion

We end with two conclusions. First, it is well-known, and certainly true, that Indian states have not been unfailingly committed to their constitutional role of keeping peace. Gujarat 2002 and Delhi 1984 are the worst examples of anti-minority massacres manifestly allowed by the government. But, it does not follow that the states are *always* interested in, or capable of instigating, riots for the sake of the electoral objectives of the ruling party.

Second, given what we know, focusing on the *process* of collective violence is arguably a better way to build meaningful theories at this time. Examining exactly how the state intervenes in majority-minority relations will give us sensible building blocks for a theory than large-n attempts at identifying correlations, or testing a theory that has not been constructed with any empirical intimacy with actual riots or pogroms.

The focus on the process has two implications for theory building: social or group relations will necessarily be a part of the explanations, for outside totalitarian societies, the state cannot always repress such relations; and the state will have to be disaggregated between the national, provincial and the local. One should not assume that just because it is in the interest of the ruling party to inflame riots, it will be possible for it to do so. The local levels of the state may not have the same interests as the higher levels. And, they can find ways of countering the higher levels of the state.

NOTES

Earlier versions of our arguments here have been presented in seminars at the Center for Policy Research, New Delhi, and at Cornell, Indiana, Yale and MIT. We would like to thank Arun Agrawal, Kaushik Basu, Sumit Ganguly, John Jackson, and Yogendra Yadav for their comments and discussion.

1. *Prevention of Communal and Targeted Violence (Access to Justice and Reparations) Bill*, 2011, <http://nac.nic.in/communal> (last accessed May 21, 2012).
2. The power of the NAC depends on the relationship of the Congress party vis-à-vis other coalition partners as also on the equations within the party.
3. See, for example, Javed Anand, "Targeting the Lawbreakers," *Economic and Political Weekly*, Vol. 46, No. 34 (2011), pp. 19–21; Siddharth Varadarajan, "A Bill to Settle a Terrible Debt," *The Hindu*, June 21, 2011, <http://www.thehindu.com>; and Ashutosh Varshney, "Rethink the Communal Violence Bill," *The Indian Express*, July 16, 2011, <http://www.indianexpress.com>.
4. See, for example, two books by Paul Brass: *Theft of an Idol: Text and Context in the Representation of Collective Violence* (Princeton: Princeton University Press, 1997) and *The Production of Hindu-Muslim violence in contemporary India* (Seattle: University of Washington Press, 2003).
5. Gary King, Robert Keohane, and Sidney Verba, *Designing Social Inquiry* (Princeton: Princeton University Press, 1994).
6. Ashutosh Varshney, *Ethnic Conflict and Civic Life: Hindus and Muslims in India* (New Haven: Yale University Press, 2002), p. 6.
7. Even then, the large-n approach has its problems. See John Gerring, *Case Study Research: Principles and Practices* (New York: Cambridge University Press, 2006).
8. Steven I. Wilkinson, *Votes and Violence: Ethnic Riots in India* (New York: Cambridge University Press, 2004).
9. We place Wilkinson's arguments in the larger body of literature on communal riots in Varshney and Gubler, "Sparks and Fires: The State and Civil Society in Communal Violence," in Atul Kohli and Prerna Singh, eds., *Routledge Handbook of Indian Politics* (London: Routledge Press, in press). Unlike in our forthcoming piece, our emphasis in this note is on the technical side of his argument.
10. Wilkinson, *Votes and Violence* (see note 8 above), p. 5.
11. *Ibid.*, pp. 6–7.

12. *Varshney-Wilkinson Dataset on Hindu-Muslim Violence in India, 1950–1995*, Version 2 (Inter-University Consortium for Political and Social Research [ICPSR]), <http://www.icpsr.umich.edu>.
13. Wilkinson, *Votes and Violence* (see note 8 above), p. 151.
14. Aryanagar, Sisamau, Generalganj, Kanpur Cantonment, Govindnagar, Kalyanpur, and Sarsaul.
15. Mohd. Sanjeer Alam, “On Matching Census Tracts and Electoral Boundaries: The Bottom-Up Aggregation Approach,” *Economic and Political Weekly*, Vol. 45, No. 34 (2010), p. 65.
16. Note that “urban” here includes all towns larger than 5,000 (as opposed to 20,000 individuals), which means that this 8 percent figure is actually artificially high. See R. Ramachandran, *Urbanization and Urban Systems in India* (Delhi: Oxford University Press, 1989), pp. 104–105.
17. It should be noted that this problem will not be resolved even if Wilkinson has successfully and accurately allocated each town to its constituency.

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