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SUMMARY

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Farmer Protests in India

In September 2020, India's Parliament passed three pieces of legislation intended to make major changes to the workings of the country's agricultural markets, specifically by removing existing restrictions on the marketing of farm products so as to allow farmers to negotiate directly with private buyers. Government officials and pro-reform analysts in India and elsewhere contend that the changes are long overdue and will serve to increase both national agricultural production and farmer incomes while benefitting consumers. Within months, however, mass opposition to the new laws arose, with farmer groups in the fertile, Sikh-majority state of Punjab, the neighboring Haryana state, and elsewhere in the country arguing that any rapid withdrawal of government's role in the country's agricultural markets will lead to exploitation of farmers by private firms. Opponents also criticize the new laws as having come without sufficient consultation and consensus-building.

Mass, generally peaceful farmer-led protests began in late November and have continued to date, mainly in and near the Indian capital of New Delhi. In January, the Indian Supreme Court issued a hold on the new laws, and soon after the Indian government announced a suspension of the laws' implementation pending ongoing negotiations with farmer groups. The protests became violent on January 26, a national holiday in India, attracting global attention. Indian authorities' responses to these and previous major protests elicit criticism on human rights grounds in a country seen by some to be regressing in this realm. Indian officials have arrested numerous journalists and activists, requested broad internet shutdowns, and brought pressure on social media companies, including threats to arrest their employees in India. By some accounts, the crackdown on dissent has been excessive and reflective of a broader trend toward authoritarianism in India. The Administration of President Joseph Biden and Members of Congress have taken note of the developments, with some among the latter group expressing support for the protesters' cause. Perceived backsliding in India's democracy and human rights record may present a challenge for the Biden Administration in formulating its policies toward India and the Indo-Pacific.

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Overview

India is a major and growing Asian power with which successive U.S. Administrations have pursued a broad strategic partnership since 2005. This partnership has been formally endorsed by the U.S. Congress, including through mandates that the Executive Branch regularly report on U.S.-India cooperation.[1] The Biden Administration has referred to India as "a preeminent U.S. partner in the Indo-Pacific."[2]

Beginning in late November 2020, the Indian capital of New Delhi has seen increasingly large-scale protests by farmers (and their sympathizers) opposed to recent Indian laws that would make changes to the country's agricultural markets.[3] Generally peaceful for two months, protests escalated and became violent on January 26, 2021, a national holiday in India (Republic Day), bringing global attention to the issue. India's Supreme Court had weeks earlier ordered a hold on the laws, and the government led by Prime Minister Narendra Modi subsequently offered to suspend their implementation pending further consultation.[4] Farmer groups reject the gesture and demand full repeal of the laws.[5] Negotiations between government officials and representatives of farmer groups have not resolved the stalemate, and the protests continue to date.[6]

Many analysts observe that New Delhi's attempt to change farming policy has touched upon a highly sensitive topic in Indian politics, given the large constituency that farmers represent.[7] According to official sources, "agricultural workers" accounted for about 55% of the national workforce in 2011;[8] their average income was roughly $142 per month in 2018-2019, slightly lower than India's average per capita income.[9] Farm work reportedly accounts for less than one-fifth of the country's gross domestic product (GDP), and at least one-fifth of India's farmers live below the official poverty line.[10] Under India's current laws, a Minimum Support Price (MSP) system provides a guaranteed price to farmers, protecting incomes if commodity prices fall dramatically.[11]

Prime Minister Modi and his ruling party, in power since 2014 and reelected in 2019, appear to remain quite popular among Indians, with approval ratings above 70% according to one representative survey.[12] The Modi government has sought to implement economic reform

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[1] See, for example, U.S. Department of Defense and U.S. Department of State, "Enhancing Defense and Security Cooperation with India, Fiscal Year 2018," Joint Report to Congress, July 2018.

[2] "Secretary Blinken's Call with Indian External Affairs Minister Jaishankar," State Department release, January 29, 2021.

[3] "Why Are Farmers Protesting in India?," *New York Times*, January 27, 2021.

[4] "India Puts Three Contentious Farm Laws on Hold Following Nationwide Protests," CNN.com, January 12, 2021; "Indian Government Offers to Suspend Reforms," Reuters, January 20, 2021.

[5] "Five Reasons Why Farmers Reject Government's Offer," *Outlook* (Delhi), January 23, 2021.

[6] "Indian Protests Against Agricultural Reforms Attract New Supporters," Reuters, February 5, 2021; "Protesting Indian Farmers Vow to Amass More Supporters Outside Capital Delhi," Reuters, February 21, 2021.

[7] "Tens of Thousands of Farmers Protest Agriculture Laws with Blockades Across India," Vox.com, February 6, 2021.

[8] See the February 5, 2021, Indian Agriculture Ministry release at https://pib.gov.in/PressReleasePage.aspx?PRID=1601902.

[9] "Rs6,000 Is 6% of a Small Farmer's Annual Income, According to NSSO Data," *Hindustan Times*, February 6, 2019; see the World Bank's India GDP data at https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?locations=IN.

[10] "India's Farm Protests Turned Violent Last Week," *Washington Post*, February 5, 2021; see World Bank data at https://data.worldbank.org/indicator/NV.AGR.TOTL.ZS.

[11] "Quixplained: What Is MSP and How Is It Determined?," *Indian Express* (Delhi), October 7, 2020.

[12] See "Mood of the Nation," *India Today*, January 2021, at https://www.indiatoday.in/mood-of-the-nation-survey-

measures with goals of strengthening market forces, and modernizing and growing the national economy. The United States historically has encouraged and supported such measures, including in the agriculture sector.[13] A readout of a February 8, 2021, telephone call between President Joseph Biden and Prime Minister Modi made no reference to the protests, but indicates the U.S. President "underscored his desire to defend democratic institutions and norms around the world and noted that a shared commitment to democratic values is the bedrock for the U.S.-India relationship."[14]

Agriculture Reform Laws

India's efforts to reform its economy and further open it to market forces date back three decades, and have accelerated since the Modi/Bharatiya Janata Party (BJP) government took power in 2014. Modi campaigned on and has articulated a vision for India as a strong, prosperous regional and global power, and has undertaken a number of controversial reforms to help achieve that goal. As one of India's leading trade and investment partners, the United States continues to strongly support New Delhi's ongoing policy reforms. India's efforts are widely viewed as being halting and uneven, however, even as many of the changes are lauded as presenting new opportunities for developing India's economy and promoting U.S.-India commerce.[15] Market access and other barriers to trade with India have been long-standing concerns among some Members of Congress, U.S. exporters to and investors in India, and successive U.S. Administrations.[16]

The agricultural sector reform measures that led to recent farmer protests came via three bills passed out of Parliament in September 2020.[17] Prime Minister Modi called the development "a watershed moment in the history of Indian agriculture" that "will ensure a complete transformation of the agriculture sector as well as empower *crores* [tens of millions] of farmers."[18] A key effect of the legislation would be the removal of existing restrictions on the marketing of farm products to allow farmers to negotiate directly with private buyers. Government officials contend that the legislation will increase both agricultural production and farmer incomes. According to the Ministry of Agriculture and Farmers Welfare, "The reforms will accelerate agricultural growth through private sector investment in building agricultural infrastructure and supply chains for Indian farm produce in national and global markets, create employment opportunities and strengthen the economy."[19] Upon passage of the legislation, India's Agriculture Minister said, "Farmers will now have freedom for direct marketing of their produce and will be able to get better prices, MSP procurement system will continue, consumers

2021.

[13] See, for example, the April 2004 State Department release at https://2001-2009.state.gov/p/sca/rls/rm/31553.htm; "India Must Carry Out 'Difficult' Economic Reforms: Obama," *Hindu Business Line* (Delhi), July 15, 2012.

[14] See the February 8, 2021, White House release at https://go.usa.gov/xsrrh.

[15] Ashley Tellis, "India's Path to the Big Leagues," Carnegie Endowment for International Peace, September 9, 2020; Afeena Ashfaque, "U.S.-India Agricultural Cooperation," Center for Strategic and International Studies, February 11, 2021.

[16] See CRS In Focus IF10384, *U.S.-India Trade Relations*, by Shayerah I. Akhtar and K. Alan Kronstadt.

[17] See New Delhi's (nongovernmental think tank) Parliamentary Research Service summary at https://www.prsindia.org/node/845725/chapters-at-a-glance.

[18] See Modi's September 20, 2020, tweet at https://twitter.com/narendramodi/status/1307618207092547585.

[19] See the Indian Agriculture Ministry's September 17, 2020, release at https://pib.gov.in/PressReleasePage.aspx?PRID=1655890.

will also benefit."[20] Summary analysis by New Delhi's nonprofit, nongovernmental Parliamentary Research Service says the legislation's aim is

> to increase the availability of buyers for farmers' produce, by allowing them to trade freely without any license or stock limit, so that an increase in competition among them results in better prices for farmers. While the Ordinances aim to liberalize trade and increase the number of buyers, de-regulation alone may not be sufficient to attract more buyers.[21]

India's 28 states regulate agricultural markets under the Agricultural Produce Marketing Committee Act.[22] Under this act, states can establish agricultural markets, popularly known as *mandis*. The sale of agricultural commodities can occur only in the *mandis* through auction, and is regulated through commission agents who mediate between the farmers and traders. Indian economists argue that most Indian farmers are unhappy with the *mandi* system, seeing it as exploitative.[23] The new laws would eliminate the requirement to use the *mandi* system and allow farmers to sell their produce at a market price directly to private buyers such as agricultural businesses and supermarket chains.

The Indian government insists that the new laws will increase competition, attract private investment, and boost farmer incomes, thus benefitting a "silent majority" of hundreds of millions of farmers.[24] Independent analysts have called for reforms in India's agricultural system, including reforms similar to those currently being implemented.[25] One U.S.-based observer opined, "Farmers will reap the benefits of Modi's reforms" through "a jolt of market-friendly common sense."[26] The leader of the New Delhi-based U.S.-India Strategic Partnership Forum said the new laws will enable farmers to reach out directly to American multinational firms such as Amazon and Walmart, providing them more choices and allowing them to become part of global supply chains.[27] However, some pro-reform economists have given mixed reviews, saying a "piecemeal approach" that changes the market system but does not address broader agricultural issues such as land use is unlikely be effective. Others contend that deregulating commodity markets to allow more private investment will not work in the absence of targeted public investment.[28]

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[20] Ibid.

[21] See https://www.prsindia.org/billtrack/farmers-produce-trade-and-commerce-promotion-and-facilitation-bill-2020.

[22] "India Farm Protests: A Basic Guide to the Issues at Stake," *The Wire* (Delhi, online), December 11, 2020.

[23] Sthanu R. Nair and Reddi Sai Shiva Janath, "How Farmers View the Existing Mandi System" (op-ed), *Indian Express* (Delhi), December 12, 2020.

[24] "'Reforms Aimed at Increasing Competition': Tomar," *Hindustan Times* (Delhi, December 14, 2020; "Farm Laws Will Ensure Better Price for Famers, Have Opened Avenues of Private Investment: Narendra Singh Tomar," *Hindustan Times* (Delhi), December 7, 2020; "Farm Reforms Will Benefit Majority of the Indian Agriculture Sector, Says Country's Top Economic Advisor," CNBC.com (online), December 8, 2020.

[25] "Government Unleashes Long-Pending Reforms to Overhaul Farming," *Times of India* (Delhi), May 16, 2020; "India's Government to Meet Farmers as Thousands Protest Against Farm Reforms," CNBC.com (online), December 3, 2020.

[26] Sadanand Dhume, "Farmers Will Reap the Benefits of Modi's Reforms" (op-ed), *Wall Street Journal*, October 1, 2020.

[27] "New Farm Bills Will Allow Indian Farmers to Reach Out to Walmart, Amazon, Says US Trade Body," *The Print* (Delhi, online), December 20, 2020.

[28] "Farm Bills: Are India's New Reforms a 'Death Warrant' for Farmers?," BBC News (London, online), September 23, 2020; Amy Kazim, "India's Farm Reforms Fail to Tackle Growers' Sluggish Incomes" (op-ed), *Financial Times* (London), February 17, 2021.

Opposition to Reform Measures

Farmers in the fertile, Sikh-majority state of Punjab (often called "the breadbasket of India"), neighboring Haryana state, and elsewhere in the country contend that a rapid reduction in government's role in the *mandi* system will leave them at the mercy of market forces.[29] Upon its introduction in September 2020, the legislation faced strong opposition, including from coalition allies of Modi's ruling BJP.[30] Among coalition partners opposed to the laws is the Punjab-based Shiromani Akali Dal (SAD). That month, the Union Minister for Food Processing Industries, a SAD member, resigned in protest of the "anti-farmer" legislation.[31] SAD figures and other opponents argue that the new laws will lead to exploitation of farmers by private firms. According to one report, "farmers fear the changes are the first step toward removing the government's guaranteed procurement at minimum prices, forcing them to make distress sales to private companies."[32] A SAD press release warned that passage of the bills would "sound the death knell" for certain job categories in the agriculture sector.[33] SAD also contends that the new laws usurp state powers and so violate India's federalist principles.[34] Reports suggest that farmers fear private buyers who sidestep *mandis* will coordinate to set lower prices, and alleges that the new laws pave the way for the government to ultimately dismantle the MSP system.[35] Farmers would see less long-term stability, in this view, and could be at the mercy of big business. Punjab's Chief Minister, a member of the national opposition Congress Party, claimed that these laws will "throw the small farmers to the big sharks, where market forces will control the pricing, procurement and marketing mechanism."[36] The absence of legal protections for MSPs in the new laws is thus a key source of concern for many opponents who are skeptical that the government will honor assurances to preserve those.[37]

Many analysts also saw the bills' passage as having been rushed, coming after insufficient consultation and negotiation, and lacking proper consensus-building.[38] As per one commentary, the laws were "rammed through Parliament without considering the interests and opinions of the farmers," and the current conflict is rooted in Modi's "brazen arrogance" and seeming lack of compassion for the farmers' plights.[39] One observer argues that the laws should bring positive medium- and longer-term outcomes, but that the central government's efforts to build consensus with and among the states were seriously flawed.[40] The Modi government has previously

[29] "Why Indian Farmers Are Protesting Against New Farm Bills," *Al Jazeera* (Doha, online), September 25, 2020.

[30] "Indian Parliament Passes Farm Bill in Face of Strong Opposition," Bloomberg News, September 20, 2020.

[31] See the September 17, 2020, tweet at https://twitter.com/HarsimratBadal_/status/1306611139296460802.

[32] "Modi Facing Battles on Farm Bills Opposed by Longtime Ally," Bloomberg News, September 17, 2020.

[33] See the September 17, 2020, SAD release at https://tinyurl.com/1ipwmjgu.

[34] See the December 14, 2020, SAD release at https://tinyurl.com/g7lhnp5t.

[35] "India's Farm Protests Turned Violent Last Week," *Washington Post*, February 5, 2021; Siraj Hussain, "Farm Laws: Potential for Positive Outcomes," International Growth Center (London) website, October 15, 2020.

[36] Amarinder Singh, "Farm Bills, Silent on MSP, Will Throw Small Farmers to Big Sharks" (op-ed), *Indian Express* (Delhi), September 23, 2020.

[37] "India's Government to Meet Farmers as Thousands Protest Against Farm Reforms," CNBC.com (online), December 3, 2020; "Quixplained: What Is MSP and How Is It Determined?," *Indian Express* (Delhi), October 7, 2020; Mihir Sharma, "India's Angry Farmers Have Reason to Worry" (op-ed), Japan Times (Tokyo), December 3, 2020.

[38] Shekhar Gupta, "Modi Govt Has Lost Farms Laws Battle" (op-ed), *The Print* (Delhi, online), February 6, 2021; "India's Lesson on Rushed Reforms for Farmers" (editorial), *Christian Science Monitor*, December 11, 2020; Ambar Kumar Ghosh, "Dissecting the Farmers Protest," Observer Research Foundation (Delhi), December 16, 2020.

[39] Rana Ayyub, "Why Modi Won't Listen to India's Farmers" (op-ed), *Washington Post*, January 27, 2021.

[40] Siraj Hussein, "Farm Laws: Potential for Positive Outcomes," International Growth Center (London), October 15,

instituted major and rapid economic policy changes at sometimes significant cost to society.[41] Some Indian observers view this dynamic as overreach or even dictatorial behavior by the Modi government, despite nominally democratic processes.[42]

The Modi government has earned a reputation among many in India as being business-friendly and favorable to corporate interests.[43] As articulated by one Washington, DC-based analyst, the unrest over new farm laws "also reflects broader critiques, such as the idea that Modi governs without consulting the people his policies affect and consistently favors big industrialists."[44]

Punjab has a history of rebelliousness, including bouts of separatist violence in the 1980s. One analyst says of the recent protests, "Punjab's tradition of resilient defiance is on full display."[45] A government attorney told India's Supreme Court that protest groups have been "infiltrated by Khalistanis [Sikh/Punjabi separatists]" or are otherwise populated by "anti-nationals."[46] Perceived government efforts to link protesting farmers to the Khalistan movement—itself associated with terrorism—are controversial.[47] However, the larger Sikh diaspora appears to have played a role in the protests gaining support both inside India and internationally.[48] In January 2021, a Sikh-American advocacy group called on the Biden Administration "to support Indian farmers and take a stand on human rights."[49]

Republic Day Violence and Repercussions

In the lead-up to Republic Day celebrations in the capital, protests turned more violent, with farmers using tractors to destroy barricades and authorities responding with tear gas and other measures.[50] This "tractor march" escalation was seen as an embarrassment for the Modi government as it came on a national holiday.[51] Up to 150,000 tractors reportedly were employed, at least one protester was killed, and Delhi police reported some 400 injured officers.[52] Protesters breached the historic Red Fort, a tourist attraction in central New Delhi, and hoisted atop the

2020.

[41] These include a 2016 demonetization effort and the 2017 implementation of a Goods and Services Tax. See "Modi's Cash Crackdown Failed, Indian Bank Data Show," *New York Times*, August 30, 2018; "Goods and Services Tax: How PM Modi Transformed India's Economy," *Deutsche Welle* (Berlin, online), August 28, 2018.

[42] "PM Narendra Modi Wants to Run Country Like a Dictator: Congress," *Indian Express* (Delhi), December 6, 2020.

[43] Milan Vaishnav, "Modi: Pro Business, Not Pro Markets" (interview), Carnegie Endowment for International Peace, August 15, 2017; Rupa Subramanya, "Modi Risks Turning India Into a Nation of Gangster Capitalists" (op-ed), *Nikkei Asia* (Tokyo), February 5, 2021.

[44] Irfan Nooruddin," Get Up to Speed on India's New Mass Protests," Atlantic Council, December 12, 2020.

[45] Rupi Kaur, "History Shows Punjab Has Always Taken on Tyrants," *Washington Post*, December 16, 2020.

[46] "'Khalistanis' Have Infiltrated Farmers Protests, Will Show IB Inputs: Center Tells SC," *Indian Express* (Delhi), January 12, 2021; "As Farm Laws Protest Continue, NIA Sees 'Anti-National' Plot, Summons Activists," *The Wire* (Delhi, online), January 16, 2021.

[47] "Despite Rightwing Propaganda, 'Khalistani' Angle Finds Little Traction," *The Wire* (Delhi, online), December 2, 2020.

[48] "Sikh Diaspora Drums Up Global Support for Farmers' Protest in India," Reuters, December 18, 2020; "Thousands of People Are Protesting with Farmers in India," CNN.com, December 11, 2020.

[49] See the January 28, 2021, letter at https://tinyurl.com/58yj9jnr.

[50] "As Angry Farmers Take to New Delhi's Streets, Protests Turn Violent," *New York Times*, February 3, 2021.

[51] Ibid.

[52] "As Angry Farmers Take to New Delhi's Streets, Protests Turn Violent," *New York Times*, February 3, 2021; "Home Minister Amit Shah Visits Hospital to Inquire About Health of Cops Injured in R-Day Violence," *Times of India* (Delhi), January 28, 2021.

ramparts a flag that is often flown on Sikh temples. This aspect led to some Indian officials again characterizing the protests as "anti-national."[53] The next day, farmers retreated to their camps just outside the Delhi Capital Territory, where tens of thousands remain.

Subsequently, the protests garnered new international attention. One week later, Barbadian pop star Rihanna tweeted attention to the protests (her account has more than 100 million followers), triggering an uproar in India. Swedish climate activist Greta Thunberg and other public figures, many of them Americans, also voiced support for the farmers. Civil and human rights lawyers from among the Indian-American diaspora asked the Biden Administration to ensure the protection of protester rights.[54] Some Indians expressed appreciation for the wider attention, while others railed at "foreign interference" in domestic Indian affairs. Among the latter group was India's Ministry of External Affairs (MEA), which issued a statement defending the relevant laws and denouncing "vested interest groups trying to enforce their agenda on these protests, and derail them." The statement also rejected "sensationalist social media hashtags and comments, especially when resorted to by celebrities and others" as "neither accurate nor responsible."[55] India's External Affairs Minister himself tweeted, "Motivated campaigns targeting India will never succeed. We have the self-confidence today to hold our own. This India will push back."[56] Increased global attention appears to have strengthened protesters' resolve.[57] For some observers, the MEA's response to such comments further harmed India's efforts to bolster its international image and influence.[58]

In a February 8, 2021, address to Parliament, Prime Minister Modi claimed that the farmer protests are accompanied by "parasitic movements" and an influx of "foreign destructive ideology."[59] Two days later, Modi invited farmers to join further negotiations, but the impasse has continued to date.[60] On February 21, as many as 130,000 farmers gathered in Punjab in continued mass protest as their union leaders outlined plans to further mobilize farmers.[61]

Human Rights Issues

Indian authorities' responses to these and previous major protests elicit criticism on human rights grounds in a country seen by some to be backsliding in this realm. The March 2021 country rating by Freedom House changed India's status from "Free" to Partly Free" due to

[53] "'India Won't Tolerate Insult of National Flag at Red Fort,' Says Center," *Jagran* (Delhi, online), January 27, 2021.

[54] Rihanna's tweet has since been hidden. Among other high-visibility figures to voice support for Indian farmers was the niece of U.S. Vice President Kamala Harris ("India Hits Back at Rihanna, Greta Thunberg and Other Celebrities After They Support Farmer Protests," *Washington Post*, February 3, 2021; "Not Just Rihanna—Farmer Protests Drew Support from Global Stars Lily Singh, Hasan Minaj Too," *The Print* (Delhi, online), February 4, 2021); "US Lawyers Write to President Biden on Farmers' Protests, Modi Govt's Repressive Tactics," *The Wire* (Delhi, online), February 15, 2021.

[55] See the Ministry's February 3, 2021, statement at https://tinyurl.com/10v5jph6.

[56] See the February 3, 2021, tweet at https://twitter.com/DrSJaishankar/status/1356968427001319424.

[57] "Indian Farmers to Scale Up Protests as Rihanna Weighs In," Reuters, February 3, 2021.

[58] Vir Sanghvi, "As Foreign Criticism Grows, Modi Has an Image Problem" (op-ed), NDTV (Delhi, online), February 7, 2021.

[59] See the February 8, 2021, Indian government release at https://pib.gov.in/PressReleseDetail.aspx?PRID=1696307.

[60] "India's Modi Invites Protesting Farmers for Talks on Farm Bills," Reuters, February 10, 2021; "Ground Zero of Farmers' Protest," *Indian Express* (Delhi), February 27, 2021.

[61] "Protesting Indian Farmers Vow to Amass More Supporters Outside Capital Delhi," Reuters, February 21, 2021.

> a multiyear pattern in which the Hindu nationalist government and its allies have presided over rising violence and discriminatory policies affecting the Muslim population and pursued a crackdown on expressions of dissent by the media, academics, civil society groups, and protesters.[62]

Perceptions of excessive use of force by authorities appear to fuel opposition anger. Observers warn that a violent turn in protests is symptomatic of a broader threat to Indian democracy.[63] Such analysts cite as examples the Modi government's moves to tighten its control of Muslim-majority Kashmir and the introduction of controversial citizenship laws widely perceived as discriminatory on religious grounds.[64] Some analysts argue that the perceived erosion of India's democracy, restrictions on minority rights, and the increased repression of dissent create a quandary for the Biden Administration in shaping policy its policies toward India and in the Indo-Pacific.[65]

Press freedoms are a particular area of concern: in 2020, Reporters Without Borders ranked India 142nd worldwide in this realm, continuing a four-year downward trend.[66] During the current protests, human rights groups accuse Indian authorities of bringing "baseless criminal charges" against journalists who covered the Republic Day events.[67] Charges brought by state governments include sedition, promoting communal disharmony, and making statements prejudicial to national integration. Critics warn that Prime Minister Modi's approach to dissent "increasingly involves stifling dissenting voices, blocking the internet, and cracking down on journalists," and find that Indian authorities "reflexively pull the plug on internet service, particularly via smartphone" in locations where protests are anticipated and are asking volunteers to join police in scouring social media to target "anti-national content."[68]

Indian law prohibits the publication online of any material authorities deem as defamatory, or that could incite violence.[69] Under national law, the government can direct service providers to suspend internet services or remove sites, among other actions. The Indian government reportedly shut down internet access at certain times during the farmer protests.[70] In early February,

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[62] See https://freedomhouse.org/country/india/freedom-world/2021. See also the Human Rights Watch country overview at https://www.hrw.org/asia/india. A recent Swedish scholarly assessment of global "autocratization surges" lists India 6th among the "main autocratizing countries" worldwide from 2009 to 2019 (*Autocratization Surges—Resistance Grows: Democracy Report 2020*, V-Dem Institute (Gothenburg), March 2020).

[63] "Indian Farmers: The Viral Image that Defines a Protest," BBC News, December 2, 2020; Pratap Bhanu Mehta, "The Real Darkness on Horizon Is the Turn Indian Democracy Is Taking" (op-ed), *Indian Express* (Delhi), January 30, 2021; Ashutosh Varshney, "India's Democratic Exceptionalism in Now Withering Away" (op-ed), *Indian Express* (Delhi), February 23, 2021.

[64] See CRS Report R45877, *Kashmir: Background, Recent Developments, and U.S. Policy*, and CRS In Focus IF11395, *Changes to India's Citizenship Laws*, both by K. Alan Kronstadt.

[65] See, for example, James Traub, "Can Biden Get Tough with America's Friends?," *Foreign Policy*, February 5, 2021; Debasish Roy Chowdhury, "How Long Will Joe Biden Pretend Narendra Modi's India is a Democratic Ally?" (op-ed), *Time*, February 15, 2021.

[66] See https://rsf.org/en/ranking.

[67] "India: Journalists Covering Farmer Protests Are Charged," Human Rights Watch, February 2, 2021.

[68] "Modi's Response to Farmer Protests in India Stirs Fear of a Pattern," *New York Times*, February 3, 2021; "India's Government is Censoring People Before They Comment," *Economist* (London), February 6, 2021.

[69] "What Is Section 69A in the Information Technology Act, 2000?," *Jagran Josh* (New Delhi, online), June 30, 2020.

[70] India reportedly has been the world leader in government-ordered internet shutdowns in recent years, with nearly 100 such incidents in 2019. There have been numerous reported shutdowns of mobile internet related to the current farmer protests in 2020 and 2021 (see *Targeted, Cut Off, and Left in the Dark: The #KeepItOn Report on Internet Shutdowns in 2019*, Access Now (undated); "Why India Shuts Down the Internet More Than Any Other Democracy," BBC News (London, online), December 19, 2019; "India Cuts Internet Around New Delhi as Protesting Farmers Clash with Police," CNN.com, February 3, 2021).

California-based social media company Twitter at first refused to comply with an Indian government "emergency" directive to permanently block hundreds of posts and accounts, eliciting acrimony. Days later, Twitter acted after the government issued a notice of noncompliance, agreeing to remove more than 500 accounts that were critical of the government's actions during protests, and so avoiding potential imprisonment of Twitter employees in India. Digital rights proponents consider India's actions to be censorship.[71] New Delhi officials rebuked Twitter for failing to comply fully with its orders to remove more than 1,100 accounts and, on February 24, the Indian government announced new rules for regulating social media content aimed at making companies "more accountable to legal requests for swift removal of posts and sharing details on the originators of messages."[72]

On February 14, 2021, Indian authorities in Bengaluru arrested 22-year-old climate activist Disha Ravi for circulating a document on social media in January that allegedly incited protesting farmers to turn violent. This "toolkit document" was produced by the Canada-based NGO Poetic Justice Foundation (PJF) and earlier disseminated by Greta Thunberg. Indian authorities claim the PJF has promoted a separatist movement in Punjab; the NGO denies any such motive.[73] Ravi was transferred to Delhi and charged with sedition and conspiracy (India's colonial-era sedition laws carry a maximum penalty of life in prison). Delhi Police claim the "toolkit" was a "call to wage economic, social, cultural and regional war against India."[74] On February 23, Ravi was released on bail, with a judge finding no calls for violence in the "toolkit" and saying citizens cannot be charged with sedition "due to the wounded vanity of governments." The court also found no link between Ravi and the PJF or between the PJF and "pro-Khalistani forces."[75] Already well known in India's climate activist community, Ravi has emerged as a symbol, and her detention reportedly has stoked fears among India's young climate activists that New Delhi is employing increasingly aggressive tactics to quash dissent.[76]

U.S. Government Responses

The New Delhi government states that the reform laws were properly debated and legislated, and are opposed only by "a very small section of farmers in parts of India."[77] The Trump Administration did not comment publicly on India's farmer protests. The Biden Administration

[71] "Twitter Removes Accounts in India as Modi Pressures Social Media," *New York Times*, February 10, 2021. A subsequent Twitter statement said, "We have not taken any action on accounts that consist of news media entities, journalists, activists, and politicians," in the belief that doing so "would violate their fundamental right to free expression under Indian law" (see the February 10, 2021, release at https://tinyurl.com/3y8ujcch).

[72] "India Warns U.S. Social Media Firms After Dispute with Twitter," Reuters, February 11, 2021; "India Tightens Regulatory Grip on Facebook, Whatsapp with New Rules," Reuters, February 25, 2021. Twitter is now among those major social media companies—including Facebook, WhatsApp, and others—that have clashed with New Delhi over freedoms of expression ("Twitter Is Stuck Between a Rock and a Hard Place in India," CNN.com, February 10, 2021; "Twitter in Standoff with Indian Government over Free Speech and Local Law," NPR.com, February 18, 2021).

[73] "In India, a Climate Activist's Arrest Shows Shrinking Space for Dissent," *Washington Post*, February 18, 2021; see the PJF's February 6, 2021, statement at https://tinyurl.com/42mfwz9e.

[74] "India's Arrest of Activist Tied to Greta Thunberg's Movement Sparks Outrage," Reuters, February 15, 2021; see the February 14, 2021, Delhi Police tweet at https://twitter.com/DelhiPolice/status/1360913826644848641.

[75] "Court Grant Bail to Disha Ravi, Says Citizens Can't Be Jailed for Disagreeing with State Policies," *Times of India* (Delhi), February 23, 2021.

[76] "Detention Stokes Fear Among India's Young Climate Change Activists," *Financial Times* (London), February 19, 2021; "The Arrest of This Activist Should Put India's 'Democracy' Title in Question" (editorial), *Washington Post*, February 24, 2021.

[77] See the February 3, 2021, External Affairs Ministry release at https://tinyurl.com/10v5jph6.

first commented directly on February 4, 2021, when a spokesman for the U.S. Embassy in New Delhi reportedly said:

> We recognize that peaceful protests are a hallmark of any thriving democracy, and note that the Indian Supreme Court has stated the same. We encourage that any differences between the parties be resolved through dialogue. In general, the United States welcomes steps that would improve the efficiency of India's markets and attract greater private sector investment.[78]

Indian media appeared to focus more on the statement's endorsement of the country's market reform efforts than on the support for peaceful protests. In late December 2020, seven Members of the U.S. House of Representatives sent a letter to the then-U.S. Secretary of State to "express serious concerns regarding ongoing civil unrest in India" and urge him "to contact your Indian counterpart to reinforce the United States' commitment to the freedom of political speech abroad."[79] At least two other Members later commented separately.[80] On February 5, 2021, the Co-chairs of the House India Caucus met with the Indian Ambassador, where one Member "urged the Indian government to make sure that the norms of democracy are maintained, that protesters are allowed to protest peaceably and to have access to the Internet, and to journalists."[81]

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[78] Quoted in "US Welcomes Farm Reforms, Says Peaceful Protest Hallmark of Democracy," *Indian Express* (Delhi), February 4, 2021.

[79] See the December 23, 2020, letter at https://go.usa.gov/xsrWn.

[80] See https://twitter.com/RepJimCosta/status/1356737481857785858 and https://twitter.com/IlhanMN/status/1357088420443602944.

[81] See the tweet at https://twitter.com/BradSherman/status/1357827848921354240.