PART - A : THE CONCEPT
CHAPTER - 1

CONCEPT OF VIOLENCE - A HISTORICAL REVIEW

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1:1 Introduction

When we look back to the history of our country violence was there in different forms, the 'victory' of powerful king upon the weaker one was considered to be the matter of pride those days. The old epics of Ramayana and Mahabharata reveal various facets of violence.

Infliction of physical or mental injury on other person is the essence of violence. The violence is very common in every day life. It is as old phenomenon as the history of human being on the earth. The cognizable violence under law is of course depends on the society and State's will. From the very beginning of our existence violence is being used as an instrument to exert power over other. The type, frequency, intensity, and control of violence may vary from time to time and place to place. The instant study starts with the meaning of violence and proceed by discussing fluctuations and certain factors, which give new dimensions to violence by making it more acute.

1:2 The Concept - Violence

Violence is an act of aggression, usually in interpersonal interaction of relations. In most of the situations the victim is powerless and therefore violence cannot be understood as only a result of 'conflict'.

A word 'violence' has negative connotations. It is defined as 'behavior designed to inflict injury to people or damage to property of the person victimized'. A cross-disciplinary definition of violence is 'violence
by' and 'violence against', the person who victimizes is known as the
'victimizer' and the one who suffers is the 'victim'.

There is nothing new in the phenomenon of violence as it is found
from the very beginning of our existence and has existed in almost all
varieties throughout the history for a variety of reasons. It may be due to the
fear of insecurity, or apprehension of dominance by others or may be
mere ego satisfaction. But the main reason behind the acts of violence is
the instinct of survival.

In primitive societies war between the two countries happen to be
the biggest incident of violence. The term 'violence' has been used and
also appropriated to situation from large annihilation of human being in
wars, in conditions of revolutions, in human interaction, various categories
like violence by terrorists & also violence by robbers, bandits & dacoits.
The term also has been used to denote situations like violation of human
rights of citizens or right of individuals in groups or institutions.

In fact the 'State' has been originated to prevent the violence but at
the same time it has also witnessed and realized that the state may be
identified as more prominent in the incidents of violence against their own
citizens. Violence, under the law may be legitimate or illegitimate,
depending on the person who uses it and how it is used. A narrow
concept of violence may suggest an act of illegal criminal use of physical
force but it also includes exploitation, discrimination, upholding of an

1 Prasad Dharmasheela, Sati in a Social, Economic & Religious context In 'within
fourwalls, Published and edited by MARG, New Delhi. pg 129
economic and social structure, the creation of an atmosphere of terror, a situation of threat, reprisal and other forms of political violence. A broader concept of violence may include many other forms of violence, because it goes beyond the physical injury.

Any group of persons may be identified as victims of violence if they are shown the 'threat of use of force against them', if they do not act as per the desires of the group of persons identified as the oppressors or victimizers. The Chamber’s Twentieth Century Dictionary describes violence as excessive, unrestrained and unjustifiable use of force.

Going through the definitions given in the various dictionaries and encyclopedias one could define 'violence' as intensive, excessive, unconstrained, illegal and unjustifiable use of force or coercion to inflict injury or abuse on other persons or things, by some persons usually to gain their personal or group ends. Infliction of injury is the essence of violence. It may be either physical or mental. It includes exploitations of all kinds.

Violence can be manifested in various ways and forms:

i) Physical violence, which may be committed by means of inflicted injury like beating, kicking, whipping, pushing hard or even killing.

ii) Verbal violence through abusive language, taunts scolding, shouting, harshly, etc.

iii) Social violence, which is inflicted by disparaging, demeaning, disrespecting socially, and

iv) Emotional violence, which is, committed either intentionally and deliberately or otherwise by depriving the victim of the
love, care, concern, attention, sympathy and understanding.

The violence is manifested in everyday life, some of the instances may be cited here as follows -

- People derive pleasure out of inflicting pain on others. They do not give it up because the pleasure however superficial outweighs the pain.
- People are infested by their own frustrations, ego problems, of personality, and self esteem, etc. Violence is used as a copy in strategy to acclaim and prove one's superiority.
- By being possessive and acquisitive or by seeking power or a position of authority.
- People look at interpersonal relationships with expectations and demands. They desire to possess the person in relations and feel jealous and apprehensive if threatened. All this some times, some where becomes instrumental in precipitating violent behaviour.
- People lack the quality of empathizing with others. They lack the feeling for the victim. In general, people are insensitive towards others, even if the other person is a very close relative.²

Thus, the concept of violence is difficult to put in the form of precise definition, perhaps it may become clear through the categorization of the concept.

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² Verma Jyoti and Madhu Pandey, 'Violence in Everyday life' Ch 6 in 'Women And Violence' by Dr. Neeraj Sinha, Vikas Publishing House Ltd, New Delhi, P. 65
1:3 Categories And Forms Of Violence

The violence may be categorized on the following criteria as under:

a) Visible and Active Violence
b) Invisible and Passive Violence
c) Institution Based Violence.
d) External and Internal Violence.
e) Physical and Non-physical Violence.

a) Visible And Active Violence

Visible violence can be experienced and seen by the other members also. It includes pushing, kicking, beating etc. It not only leaves injury marks on the body of the victims externally but it disturbs the victim internally too.

The dowry death, Sati, female foeticide, female infanticide, instances of active domestic violence, and other crimes may be categorized as domestic violence if committed by the family member. Some of the forms of violence or crimes against women occur only in few countries, such as bride-burning i.e. Sati in India.

b) Invisible And Passive Violence

People derive pleasure out of inflicting pain on others. They are infested by their own frustrations, ego problems or personality and self-esteem etc. Hence in such circumstances violence is used as a capping strategy to acclaim and provide one's superiority. It may be verbal, physical, mental or psychological etc. but every endeavor is made to create tensions at the situations or atmosphere of terror is created.
Violence towards other people is a form of aggression that results from frustration. An unfulfilled need produces frustration, which further results in aggressions. Structural violence is the dominance of one group over the other with subsequent exploitative practices. In such situations of threat, violence is sufficient to keep the dominated group in this place\textsuperscript{3}.

This kind of invisible violence proves as an obstruction in the personality development of the other members of the family, or for those who are associated with the victimizer.

c) Institution Based Violence.

It may be visible or invisible violence. But mostly it is invisible. The violence of the established system is often unrecognized and unaccountable. It is not only perpetrated violence by exploitation but it is enshrined in all big establishments.

The Governmental institutions like police machineries, law courts, Parliament etc. directly or indirectly support the acts of violence. In most of the cases the police are blamed for not taking due care to collect the required evidence or they do not show interest in registering the complaints, which they presume to be as 'private matter'. Sometimes proper investigations are not made which ultimately result in acquittals of the offenders. It is also found that the offenders belonging to the high socio-economic group are leniently let-off due to other pressures.

The law courts are stick up only to the enacted pieces of law and are not interested to look beyond it & to be flexible enough to provide justice for all. The infrastructure is made up of centralized beurocracy, large institutions and monoliths of industry and big business and monopolies of power, position or wealth or merit. It denies the majority of the weaker and expiated sections, their primary needs of survival, dignity of person or opportunity for growth.

When the state proved them most dangerous person for another individual, certainly this fact percolated into the life of individual person. The spread affect of this phenomenon may find among the members of the family. The dominant member because of his power, strength, money, capacity, and birth occupies the important position in the family and being the head of the family, he victimizes the dependent, subordinate or young members of the family.

It is the structural pattern of the family, culture norms and values and also the political and economic system of a particular society that determines, who will injure and who will endure. Some amount of the violence is natural and functional - and hence is known as non-normative act where force could be used for legitimate purpose. For instance disciplining of children. But when it becomes volatile, the destructive aspects of violence are recognized.

People look at interpersonal relations with expectations and demands. They desire to possess the person in relationship, but lack the quality of empathizing with others and feel jealous. They lack the feelings for victim. In general people are insensitive towards others, even if the
other person is a very close relative. It may be a man’s problem of cruelty, brutality, hatred and insensitivity.

Thus, violence within family may be used for system maintenance, assertion of power exploitation and victimization. Sometimes it may also be used for securing redress of grievances of the oppressed, as counter violence.

Therefore institutional violence means the use of violence by colonized people against the colonial authorities and the non-institutional violence means the violence by the ‘haves’ against ‘have nots’.

d) External And Internal Violence.

External violence can be seen but the internal violence that affects the minds of victimized persons cannot be seen or even experienced. The scars remained by physical or bodily injury may be treated externally by applying medicines and ointments but the internal scars which disturb the persons mind cannot be cured. These scars may last forever or even it leads the person victimized toward the tendency to commit suicide or the person victimized may go to the extent of ‘Anomie’, or may think of to take revenge. Thus, the internal violence may tend the victims towards criminality.

e) Physical And Non-physical Violence

Physical violence is the most common form of violence which includes beating, pushing, kicking etc. In which bodily force is applied to keep victim under control. While non physical violence is applied without
touching the body of victim. It may be the form of taunting, insulting, abusing etc.

1:4 Violence From The Mahatma Gandhi's View Point.

Mahatma Gandhi was famous for non-violence. He used Geeta and Upanishdas as resources as the concepts of non-violence, but he never taught other people about the teachings of Geeta and Upanishdas. In reality, he was attracted by the teachings of Tolstoy and John Ruskin and Geeta and Upanishdas supported him to propound the concept of non-violence. According to Gandhian analysis violence can be placed under different categories. These are -

a) Societal Violence:

The establishment by upholding the system decides the infrastructure of violence. This infrastructure is made up of centralized bureaucracy, large institutions, monoliths of industry and big business and monopolies of either power or position or wealth or merit. According to Gandhi's definition in the above context, it is exploitation and exploitation hurts physically as well as mentally. Exfoliation militates against life itself. It denies the majority of the weaker and expiated sections, their primary needs of survival, dignity of person and opportunity for growth.

The violence by the establishment is often unrecognized and unaccountable. It is not only perpetrated violence by exploitation but violence is enshrined in all big establishments including universities, law courts, parliaments and developmental plans.
b) Violence Of Protest:

The pathological deviants among the exploited people break law and protest against the establishment scruptiously, in order to nibble profits from the system. In order to nibble profits from the system. These are not able to toe the lines of upper elite and therefore often resort to open violence.

C) Counter Violence:

Recently a transformation in the structure of violence has been taking place. In order to liquidate the violence of establishment, the violence of protest has become grossly politicized and ruthless. For the sake of peace maintenance has come counter violence in reaction. The quantum of violence of protest and counter violence has increased. These two kinds of violence are new phenomena and have acquired new features. non-political person was earlier more safe in the city as compared to political activists and women in general were safer than men. The two new types of violence were directed against the decision markers, both by government as well as opposition. But now ordinary nonpolitical common men and women have become target of violence. Men are murdered and maimed but women are sexually tortured and raped.

1:5 Basis And Causes Of Violence:

Some socio-cultural factors are important as determinants of violence, which are as follows -
1. **Political** - Independence movements and introduction of Universal franchise in developing nations have acted as catalysts for intense political participation of the public mass. Processes of politicization have legitimized all forms of violence against public. Riots and revolts have been employed to bring changes into governmental policies and programs. In most of these developing nations violence has now become an inextricable part of the political become an inextricable part of the political process attending the elections in village, city, state and parliamentary bodies.

2. **Economic** - Corruption rampant even in all high places is a problem to be rock and with in almost all the newly independent developing countries. Younger generation has come to believe that the government and bureaucracy any where respond only to the language of violence and organized pressure. The disorderly behavior of the elders in many cases, is aped by the younger generation and when masses are led to agitational movements, violence easily erupts.

   Decline in productivity, fall in per capita income, deterioration in health conditions and darkness because of illiteracy, throw the citizenry into the abyss of cynicism and fatalism. These provide fertile soil for violent collective behavior in every walk of life.

3. **Social** - The readily available arms, production of illegal weapons, private arias of the rich, paralytic police force combined together accelerate the criminal tendencies among the exploiters.

   Inequality in economic, social and educational system is also one of the major case of violence for every one is engaged in finding out shortest
route to money making. In most of the organized violence, the man power is provided by the youths belonging to educational institutions.

4. Cultural - The practices under the garb of customs and rituals are considered to be one of the major cause of violence. The persons brought up in such circumstances are structured since birth to inflict violence on the dependent or inferior to them. They use violence to maintain the power mechanism of the superiority.

5. Psychological - People living in frustrations or the personality or ego problem use violence as a strategy to acclaim one's own superiority.

6. Others - In International violence, war between the two countries is considered to be the biggest incidence of violence. In the situations of conflicts of interest or the dispute over the boundaries or any other, the violence is used by the dominant or belligerent country over the weaker one.

1:5:1 The Socio Cultural Approach Of Violence

It emphasizes the structural determinant of violence as under

a) Value Consensus Basis Of Social Order - The violence in the society is explained by the functionalists and conflict theorists in many different ways. They made the value consensus the basis of social order. For them inequality in society is natural, and therefore in social order wherever the persons held in contempt, they will be subjected to violence.
b) Power Demonstration Mechanism - The conflict theorists hold that violence is necessary as primary mechanism to hold the societies together. According to them the social relations are unequal and exploitative. Inequality is unnatural but it has to be maintained by the use of force and violence. Power is the central concern of the conflict perspective. Criminal statutes are created and enforced according to the wishes of those with power. Thus, violence against women like beating and rape is an assertion of male domination and control.

c) Ancestral - An offshoot of the social structural approach is the socio-biological view of human behaviour. It always depends on the family background of the primitive ancestors. Victimization of the female by the male has based on the theme of ancestry as human nature.

d) Exploitation - Violence in its crudest form has always existed in society, everywhere in the world. The great mass of the people including women have suffered constantly from it and have been living in a state of violence perpetually, for their lives, dignity, and the property home always been unsafe. Violence, thus, is used for system maintenance, assertion of power, exploitation and victimization. On the other hand it is also used, for securing redressal of grievances of the oppressed.

Violence against women which was under the surface is now been emerged as a social problem all over the world, and has acquired new dimensions recently with incidents of atrocities and violence against
women, even within the four walls of the house.4

1:6 Appraisal

There is nothing new in the phenomenon of violence, as this has existed in almost all societies throughout the history for a variety of reasons. Thus, violence in itself is socially structured, to neutralize, injure or eliminate their rivals.

There are several socio-cultural, historical and psychological reasons for violence being committed. Everywhere it is deeply embedded in the way of life, in the mode of thinking of the people and in the socialization process. The violence reduces the sensitivity of the person towards others Thus, violence is a means to an end and it is used for system maintenance, assertion of power exploitation and victimization.

Now the spread effect of this phenomenon has reached to every corner of society including the family. The dominant member occupies the important position in the family. On the basis of strength, money, capacity or birth. The powerful member victimizes the dependent, subordinate or young members of the family. The most prominent victim of the violence is ‘woman’ irrespective of her capacity, status, intelligentsia, age etc. Some of the offences against women are identified as crimes under Indian Penal Code and other Special Legislations but some goes unreported because law is silent on those issues.

4 (Sharan Sarojini, 'Establishment And Violence, An Article in 'Women And Violence' by Dr. Neeraj Sinha, Vikas Publishing House Pvt. Ltd, 576, Masjid Road, Jangpura, New Delhi, 110014, PP. 35-36)