



## UNDERSTANDING THE CONCEPT OF VIGILANTISM IN INDIA

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### 1. INTRODUCTION:

The driving force of any democracy is the trust shared between the State and its citizens. If the citizens do not feel that their government is doing its best to alleviate their grievances and problems, they start to lose faith and may turn against the State. This leads to resentment, and ill feelings towards the government in the minds of the people of the State. This is one of the leading causes of the rising Vigilantism in the world, and particularly, in India. Vigilantism is often characterised by violent tendencies of the people towards the government and its officials, due to their mounting frustration against the Government's lax attitude. According to Denkers (1985), vigilantism means any spontaneous and immediate act of private citizens without consulting the police or justice department against suspects/perpetrators of a criminal act which they are a direct victim or a direct witness as a bystander. It can also be defined as a planned criminal act carried out by one or more private citizens in response to (the perceived threat of) a crime committed by one or more private citizens targeting the (alleged) perpetrator(s) of that crime.

In India, vigilante refers to when a group metes out extra – legal punishment to alleged lawbreakers. Vigilantism is also

referred to as "mob justice".<sup>1</sup> It is usually caused by perception of corruption and delays in the judicial system.<sup>2</sup>

Vigilantism can be viewed with different perspectives: it can either be an unlawful activity which is carried out extra – judiciously by the citizens of this country. Or, it be a product of failure of democratic rule of the country.

In India, Vigilantism, of late, has become a common occurrence. In this paper we will discuss two prominent forms of vigilantism prevalent in the country at present. One possesses the potential to have a positive impact on the society, another, with a negative leaning. In this paper, the researchers will do a comparative study on cases of The Pink Sari Brigade (Gulabi Gang) and The Naxalite Movement.

### 2. AIMS AND OBJECTIVES:

The basic aim of this research paper is to understand the concept of vigilantism and what prompts vigilantism in India. While analysing the case studies, we shall also uncover the motivations leading to acts of vigilantism. The aim is also to understand whether the effects of vigilantism, positive or negative as they may be, pose a threat to the system of governance in India, and restrain democratic functioning.

### 3. THEORETICAL FRAMEWORK:

<sup>1</sup> Namita Bhandare, "Mob justice and civil society's breakdown", September 04, 2007.

<sup>2</sup> Col. Khurem Sorojit Singh, "Mob Reaction" available at [http://e-pao.net/epSubPageExtractor.asp?src=education.Human\\_Rights\\_Legal.Mob\\_Justice\\_Mob\\_Reaction\\_Part\\_2\\_By\\_Khulem\\_Sorojit](http://e-pao.net/epSubPageExtractor.asp?src=education.Human_Rights_Legal.Mob_Justice_Mob_Reaction_Part_2_By_Khulem_Sorojit)



### 3.1 Vigilantism:

Scholars have for years had different opinions on the definition of vigilantism. Some argue that it should be considered a social movement whereas others argue that it is rather a sort of social reaction. The commonly used definition of vigilantism as “taking the law into one’s own hands” is an oversimplification of the concept. Instead they argue that vigilantism should be something that “consists of acts or threats of coercion in violation of the formal boundaries of an established socio – political order”.<sup>3</sup> In other words, the vigilante strategies are motivated by the result of the loss in faith in the police, the state and other authorities that lead to the organization of self-help measures.<sup>4</sup>

The sociologist Les Johnston’s conceptualization of vigilantism could be useful as a supplement to the other definitions.<sup>5</sup> In his article “What is Vigilantism?” Les Johnston (1996) provides six necessary features for a group to be called vigilante:

*Firstly*, he argues that, for an action to be defined as vigilante, there must be some sort of planning or preparatory activity to it. Hence can vigilante activities not occur completely spontaneously.

<sup>3</sup>Rosenbaum, Jon H., & Sederberg, Peter C. (1974). Vigilantism: An Analysis of Establishment Violence. *Comparative Politics*: 6(4), pp. 541-570.

<sup>4</sup>Cane, Peter & Conaghan, Joanne (2008). *The New Oxford Companion to Law*. Oxford University Press Print Publication.

<sup>5</sup>Johnston, Les (1996). What is Vigilantism? *The British Journal of Criminology*: 36(2), pp. 220-238. Oxford University Press

*Secondly*, the engagement of the members must be voluntary, meaning that it cannot happen on demand of others than by the person in question himself.

*Thirdly*, the members need to be autonomous citizens and hence not be in collaboration with or supported by state authority.

*Fourthly*, the group either uses or threatens to use force.

*Fifthly*, the vigilante actions arise when the social order is under threat of the transgression or the attributed institutionalized norms.

*Lastly*, it aims to control social infractions by bringing guarantees of security to the participants and others.

### 3.2 Motivations to Vigilante Actions:

Based on the work of a group of scholars of social movements and vigilantism such as Sidney Tarrow,<sup>6</sup> Earl Conteh-Morgan,<sup>7</sup> Paul Hoffman,<sup>8</sup> Manfred Schmitt,<sup>9</sup> Jon

<sup>6</sup>Tarrow, Sidney G. (2011). *Power in Movement: Social Movement and Contentious Politics*. Cambridge University Press.

<sup>7</sup>Conteh-Morgan, Earl (2004). *Collective Political Violence: An Introduction to the Theories and Cases of Violent Conflicts*. Routledge: New York & London.

<sup>8</sup>Hoffman, Paul (2012). *Vigilantism: The Last Resort of the Unprotected*. World Justice Project. Accessed: April 19th, 2018. Available at: <https://worldjusticeproject.org/news/vigilantism-last-resort-unprotected>

<sup>9</sup>Schmitt, Manfred (2010). Longitudinal effects of egoistic and fraternal relative deprivation on well-being and protest. *International journal of psychology*: 45(2), pp. 122-130.



Rosenbaum & Peter Sederberg,<sup>10</sup> it can be argued that there are two main motivations to vigilante actions.

*Firstly*, that vigilante activity is motivated by the group's experience of the state not being efficient and/or not living up to its purpose; and

*Secondly*, that the participants of the group in question experience some sort of relative deprivation motivating them to resort to violence as a strategy.<sup>11</sup>

The disappointment that rises in the citizens after relentless pleas for improvement in their living conditions to the government, forces the vigilantes to break the law and leaves them with no other options.

#### 4. CASE STUDIES:

##### 4.1 The Naxalite Movement

The Naxalite movement has used force to snatch land from the rich landowners and give it to the poor and the landless. Its supporters advocated the use of violent means to achieve new political goals. In spite of the use of preventive detention and other strong measures by the West Bengal government run by the Congress party, the Naxalites movement did not come to an end. In later years, it spread to many other parts of the country. The Naxalite movement has by now splintered into various parties and organizations. Some of these parties, like the CPI-ML (Liberation), though, participate in open, democratic politics.

##### 4.1.1 Historical Background

It is important to investigate the historical background and growth of the Naxalite insurgency to assess the relatively successful current phase of the movement and the challenges posed by its rise. For the past 10 years, it has grown mostly from displaced tribal people and natives who are fighting against exploitation from major Indian corporations and local officials whom they believe to be corrupt.<sup>12</sup> Naxalism is based upon an extremist belief that the Indian government is a semi-colonial, feudalistic, and imperial entity that needs to be overthrown. Naxalism's objective is to seize state power through a protracted armed struggle against big landlords and petty government officials.<sup>13</sup> Naxalism takes up the cause of the marginalized sections of society. They claim to be fighting for the poor and the marginalized, demanding loyalty and shelter from villagers, while government forces seek public support in protecting those same villagers from the Maoists.<sup>14</sup> Both the Maoist rebels and the security forces seem engaged in a cycle of violence, with ordinary citizens caught in the middle, suffering losses of lives, livelihoods, and living in an atmosphere of fear and intimidation.<sup>15</sup>

<sup>12</sup>Dr. Abid Ali &Dr. Sant Lal, 'Naxal Movement In India: Causes and Solutions', IJIFR, vol. 2, no. 8, 2015, pp. 2971, 2972.

<sup>13</sup> Thomas F. Lynch III, 'India's Naxalite Insurgency: History, Trajectory and Implications for U.S.-India Security Cooperation on Domestic Counterinsurgency', Institute for National Strategic Studies Strategic Perspectives, No. 22, 2016, pp. 7.

<sup>14</sup>Infra 1, pp.2973.

<sup>15</sup> Maitreesh Ghatak & Oliver VandenEynde, 'Economic Determinants of the Maoist Conflict in India', Economic & Political Weekly, Vol. 52, No. 39, 2017, pp.69.

<sup>10</sup>Ibid at 3.

<sup>11</sup> Ibid at 7.



Born out of the uprising for fair justice, this movement has become more violent in the last few decades. According to them, choosing violence to eradicate injustice is their only option. Naxalism is the most significant political movement since independence. It has been the most long-lasting though it has had its ups and downs. Despite its fragmented nature, a continuing thread with some variations can be seen in the ideological thrust, strategy and tactics of mobilization of different groups within its fold. It is the only movement which started in one police station of a single district in West Bengal in 1967 and has expanded its activities covering over 460 police stations in 160 districts across 14 states, despite the police force and infrastructure having grown manifold during this period. The movement's capacity to challenge the state has also enormously increased considering the incidents of violence and casualties resulting from them. The movement is viewed with greater anxiety in the government because it is most intense precisely in areas which are rich in natural resources and, therefore, targeted for fast-track industrial development. These are also the areas which have a history of mass protests by the peasantry against colonial policies. The movement is also unique in that it tends to mobilize the most subdued and socially marginalized sections and lays bare, as probably no other movement has done, the sharp fissures in the society, politics and economy. Unlike the political mass movements with violent underpinnings featuring in the border areas, Naxalites do not seek to secede from the Indian union to establish a sovereign independent state of their own but only to capture political power

through armed struggle to restructure society.

After a long factional history of the Naxalite movement due to differences both in approach and ideology, unification was achieved in 2004 under the leadership of Ganapathy, who formed the Communist Party of India – Maoists (CPI-M).<sup>16</sup> Since then the movement has turned more dangerous in its activities.

The tribal and dalit people are among the poorest of the poor and the most socially marginalized sections of the society. They are also the most peace – loving communities who are not easily persuaded to challenge even a locally dominant authority let alone resist the state power. But they are also the groups for whom the movement has great appeal and who form its large support base. Of them, those who are conceptually wedded to the ideology of the movement and engage in executing the directives of the party are only a few thousands. The rest of the population only lends tacit support. Some among them may be doing so out of fear rather than genuine attraction to its program.

#### 4.1.2 Reasons leading up to the Uprising

The problem has been in the Indian state's perception of the causes of the Naxal movement. There must, therefore, be something compelling in the social situation which drives these people to lend this support. The credit for the survival of the movement for over 4 decades goes to the

<sup>16</sup>Bert Suykens, 'Maoist Martyrs: Remembering the Revolution and its Heroes in Naxalite Propaganda (India)', *Terrorism and Political Violence*, vol. 22, no. 3, 2010, pp. 379.



Government which has failed abysmally in addressing the causes and conditions that sustain the movement. Three committees constituted by the Government of India one in 1960s, the second in mid 1980s, and the third in late 1980s have looked into the causes of disaffection in the population in these areas. There are, in addition, academic studies and reports of the civil society groups. All these reports with varying emphasis have brought out the factors contributing to the growth of radical left movements.

Individuals have exploited the state for their own benefits, but the problem lies with the failure of governance by the state, but not with individuals. The reason for the growth of Naxalite problem could be enumerated.<sup>17</sup> The main causes fuelling this movement in the country are: -

1. The slow implementation of land reforms is one many reasons for the growth of Naxalism. Landlords often moved the court to delay implementation of these reforms. Siding with the bureaucrats and the local authorities, the land owners made the land reform slow and unmanageable.
2. Discrimination of people of society based on caste is a common evil prevalent in Indian society. This is the main cause that helped in nurturing of Naxalism in development deprived regions. The people from lower caste felt so humiliated that they joined the movement to fight the pernicious of society.
3. It is well established fact that poverty is the mother of most of the evils in the society.

Deprivation leads to frustration. If not handled maturely, this section of society is easy prey for radicals.

4. The low literacy rate in the central belt of the country is the fourth cause. Due to lack of infrastructural commitments by various state agencies involved. This leaves a vast majority of tribal and low caste groups oblivious to the working and the benefits of the policies formulated exclusively for their welfare provided to them by the Central Government and its associated groups. There, this ignorance subjects them to exploitations by the society. This leads to discontentment among them.

Lack of the fore mentioned facilities do breed discontentment and becomes catchment areas for recruitment for separatists. Alienation of the tribal from the mainstream Indian communities also contributes to more of tribal joining such movement. Being oblivious to the benefits provided to them by the Central Government and the associated groups, they are influenced by this uprising and fall in the trap and refuse to come out of it.

#### 4.1.3 Laws made by the Government

1. **Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013**

Under this Act, land in change of land will be given, job prospective to at least one member of the family, vocational training and housing benefits including houses to

<sup>17</sup>Ibid 1 pp. 2793



people in rural areas and urban areas will be some of the benefits.<sup>18</sup>

## 2. Forest Rights Act, 2006

As per this Act, the traditional forest dwelling communities get legal rights carry out their activities. This Act also gives such communities and public a voice in forest and wildlife conservation.

### 4.2 The Gulabi Gang

#### 4.2.1 Who are the Gulabi Gang?

The Gulabi Gang is a group of women that have mobilized to fight against caste – based oppressions, gendered violence, and patriarchal norms. The distinctive features of the Gang include their pink saris and wooden sticks, as well as their use of physical confrontation when necessary. The group calls itself a “group for justice” and fights for gender equality in the rural villages in the state of Uttar Pradesh in Northern India.<sup>19</sup>

It all started when Sampat Pal Devi, who went on to become the leader of the group, witnessed a man beating his wife up. She pleaded with the man to stop, who paid no heed to her at first, but after her relentless pleas, beat up Sampat Pal Devi too. The next day, she returned to the man’s house with five other women and beat him up to teach him a lesson.<sup>20</sup> Following this incident, it

took about a decade to mobilize the Gang. This was done by traveling from village to village, where the women would sing songs about their protests and try to get support from other women.<sup>21</sup> They started out with smaller projects like fighting male abuse and gained widespread support from women. Furthermore, they started to practice techniques of counter-aggression and self-defence to gain legitimacy.<sup>22</sup>

Despite the use of other techniques, the Gulabi Gang is most famous for the use of bamboo sticks to strike fear, or to threat or harm the perpetrator of violence. The main issues that the group is focusing on and fighting against is abuse, discrimination and sexual violence.<sup>23</sup>

#### 4.2.2 State Inefficiency and Corruption

The Gulabi Gang focuses primarily on bringing justice to women, who are victims of abusive men.<sup>24</sup> The Gang is also known to make use of sticks, axes, and cricket bats to beat up government officials publicly to shame them. They have also forced police officers to register domestic violence issues by slapping them and forcing those

Official Website. Accessed: March 25th, 2018. Available at: <http://www.gulabigang.in>

<sup>21</sup>White, Aaronette & Rastogi, Shagun (2009). Justice by Any Means Necessary: Vigilantism among Indian Women. *Feminism & Psychology*: 19(3), pp. 313-327.

<sup>22</sup>Sen, Atreyee (2012). Women's Vigilantism in India: A Case Study of the Pink Sari Gang, *Online Encyclopedia of Mass Violence*. Accessed: April 4th, 2018. Available at: [http://www.sciencespo.fr/mass-violence-war-massacre-resistance/en/document/womens-vigil\\_antism-india-case-study-pink-sari-gang.html](http://www.sciencespo.fr/mass-violence-war-massacre-resistance/en/document/womens-vigil_antism-india-case-study-pink-sari-gang.html)

<sup>5</sup>Ibid at 3.

<sup>6</sup>Ibid at 4.

<sup>18</sup>Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

<sup>19</sup> Richards, Matthew, S. (2016). The Gulabi Gang, Violence and the Articulation of Counterpublicity. *Communication, Culture & Critique* 9(4), pp. 558-576.

<sup>20</sup>Gulabi Gang (2016). Official website of Sampat Pal Devi: Founder of the Gulabi Gang, Organization’s



accountable to build new roads by physically dragging them to the dust track in question.<sup>25</sup> Even if the Gang started out by fighting local concerns of dowry demands, marital violence and abusive in-laws on a grass-root level, the Gang has with its growth in members started to address issues such as land disputes and helping women to gain access to education.<sup>26</sup>

The gang usually deals with issues that are often neglected by the police as well as the local authorities, such as abuse and discrimination against women and sexual violence. It must be noted, that all their actions are a result of the nonchalance displayed by the authorities, to all their suggestions. Even if the women often do put forward complains to the police, they are generally not taken seriously.<sup>27</sup>

The work of the Gang is the counter – response to the widespread corruption in the society as well as evident neglect of women’s issues in the political agenda of Uttar Pradesh, which is the active site of the Gang’s operations, is arguably the most unsafe state for women in the country,<sup>28</sup> and is also the most populated and impoverished.<sup>29</sup> It is a likely conclusion that

the Gulabi Gang is incensed with the State’s lack of responsibility and decided to take the matters into their hands. It is further argued that the judicial system of Uttar Pradesh is corrupt. The leader of the Gang and up to 40 other members have all been charged with offences such as “unlawful assembly, disturbing the peace by inciting a crowd to commit a crime, causing a riot, deliberately causing hurt, assaulting with a weapon, defamation, insulting and deterring a public servant from discharging his duty”.<sup>30</sup> Ironically, the men guilty of committing acts of violence against women are rarely punished.<sup>31</sup>

#### 4.2.3 Fraternal Relative Deprivation

The Relative Deprivation construct has been extensively used in social psychology, sociology and other social sciences for more than half a century.<sup>32</sup> In sociology, relative deprivation theory is a view of social change and movement, according to which people act for social change in to acquire something like opportunities, wealth, status that others possess and which they feel they should possess too. Fraternal Relative Deprivation as a theoretical framework is often used to understand the motives behind civil wars, rebellions, etc. Thus, the adoption of violent tactics by the Gulabi Gang may be explained by this theory too.<sup>33</sup>

<sup>7</sup>Ibid at 3.

<sup>8</sup> Ibid at 4.

<sup>9</sup> Miller, Katy (2013). The Gulabi Gang as a Social Movement: An Analysis of Strategic Choice, pp. 1-112.

<sup>10</sup> Desai, Shweta (2014). Gulabi Gang: India’s women warriors. Aljazeera. Published: March 4th 2014. Accessed: March 26th, 2018. Available at: <https://www.aljazeera.com/indepth/features/2014/02/gulabi-gang-indias-women-warrriors-201422610320612382.html>

<sup>11</sup> Arora, Akarsh (2017). So why is Uttar Pradesh still poor? Poverty incidence and its correlates: An inter-

regional analysis. International Journal of Social Economics: 44(12).

<sup>12</sup> Miller, Katy (2013). The Gulabi Gang as a Social Movement: An Analysis of Strategic Choice, pp. 1-112

<sup>13</sup> Ibid at 7.

<sup>32</sup> Tyler, T.R., Boeckman, R.J., Smith, H.J. &Huo, Y. (1997). Social Justice in a Diverse Society. Boulder, CO: Westview Press.

<sup>33</sup> Iain Walker, Heather J. Smith. Relative Deprivation: Specification, Development and



Women have always had an inferior status to that of men in India.<sup>34</sup> A woman is usually recognised as a man's daughter, wife or mother, and her actions are usually controlled by such men. Women have been deprived of attaining education, appropriate nourishment, health care, political participation, and ownership of property. Furthermore, women are oppressed due to patriarchal structures in the Indian society such as a deeply rooted son preference and hence killings of newly born girls, being married away at a young age against their will, killings of wives to make it possible for husbands to remarry and collect a new dowry as well as women being victims of domestic and sexual violence.<sup>35</sup> The subordination of women and the gender inequality in the Indian society is still today one of the biggest social issues.<sup>36</sup>

It can be concluded from the facts that there exists an inequality between the social positions of men and women, especially in the state of Uttar Pradesh.<sup>37</sup> Thus, the men in Uttar Pradesh can be viewed as the group

that the women compare themselves to, as possessors of status and rights which they themselves do not possess. These women feel marginalised by the men due to the constant violence against them.<sup>38</sup> In contrast with the men of their society, the women are deprived of the opportunity to social and political participation, and this leads to them experiencing Fraternal Relative Deprivation.

### 5. SUGGESTED REFORMS:

There are several reforms that can be undertaken by the State to keep a check on rampant vigilantism. Some of them are:

1. Be responsive to the demands of the marginalised section of the society. It is often the nonchalance or carelessness of the local authorities towards the needs of the citizens that force them to turn to violence.
2. There is a growing need to formulate water – tight legislative framework that will ensure that the under privileged people are not exploited.
3. Provide such assistance to women which makes them self – sufficient and independent in their finances, so that they do not have to suffer through domestic abuse.
4. Eradicate caste – based discrimination and instil an equalist value – based system through education.
5. The law enforcement agencies must be reprimanded in case of their mistreatment of the poor and discriminated people.
6. Vigilante's enjoy the support of the local people which is acquired by either threats or

Integration.Press Syndicate of the Cambridge University.

<sup>34</sup> Shrivastava, Jaya & Tanchangya, Rangabi (2015). Dalit women's quest for justice: Cases from India and Bangladesh. *Asian Journal of Women's Studies*: 21(2), pp. 180-191.

<sup>35</sup> Myers, Christine (2012). Sex Selective Abortion in India. *Global Tides* 6(3), pp. 1-18.

<sup>36</sup> Drèze, Jean & Sen, Amartya (2010). *India: Development and Participation*. Published: May 2010. Accessed: April 26th, 2018. Oxford Scholarship Online, pp. 1-51.

<sup>37</sup> Ahmad, Jaleel & Khan, M E & Mozumdar, Arupendra & Varma, Deepthi. (2015). Gender-Based Violence in Rural Uttar Pradesh, India. *Journal of Interpersonal Violence*. 1. 10.1177/0886260515584341.

<sup>38</sup> Indira Sharma. Violence against Women: Where are the Solutions? *Indian J Psychiatry*. 2015 Apr-Jun; 57(2): 131–139. doi: 10.4103/0019-5545.15813 available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4462781/>



working for the benefits of the people. Increasing awareness and sensitising the local authorities to the needs of the citizens is necessary.

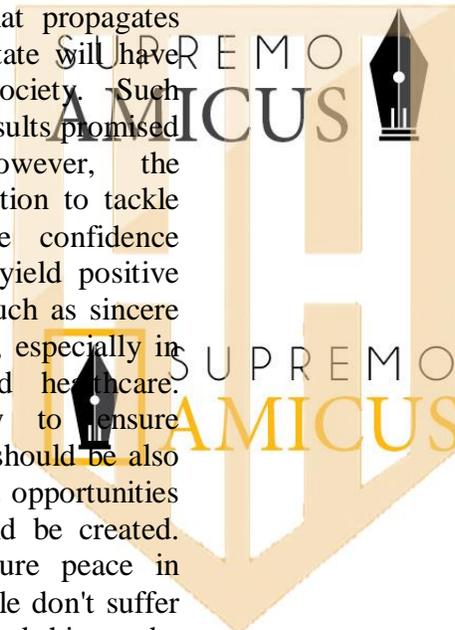
7. A Committee can be set up, which must be a government body, that can take direct and planned actions to eradicate the very need of vigilantism.
8. Such committee must have a vast out – reach, penetrating the rural India so the voices of the marginalised can be heard.

moment. The very existence of such a group is a blot on the current status of our Government and other law enforcing agencies. The members of society should have unflinching confidence in the system. It is the collective responsibility of society and state to create conducive environment to ensure people are not forced to resort to VIGILANTISM. The state has to ensure that justice delivery mechanism is robust and fail free.

**6. CONCLUSION:**

All said and done, the end should not justify the means. Any approach that propagates taking of arms against the state will have adverse impact on the society. Such approach may not yield the results promised by the propagators. However, the government may have a solution to tackle the problem. Some of the confidence building measures that may yield positive results can be implemented such as sincere development of infrastructure, especially in the field of education and healthcare. Awareness in the society to ensure eradication of discrimination should be also be taken care of. Employment opportunities in the affected regions should be created. The government should ensure peace in these areas so that these people don't suffer more than they already have and this can be done only if the government takes proactive measures so as to ensure social justice and inclusive growth for the benefit of the marginalized sections.<sup>39</sup> Even though the acts carried out by the Gulabi Gang are commendable, their cause should be paid more attention than they are receiving at this

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<sup>39</sup> Raman Dixit, Naxalite Movement in India: State's Response, Institute for Defense Studies and Analyses, Vol. 4, No. 2, 2010.