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Provocation of "Unprovoked Aggression" by Encroachment

Challenge of insensitivity to collective historical amnesia

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Amended version of *Varieties of Encroachment* (2004) in the light of adoption by the [11th Emergency Special Session of the United Nations General Assembly](#) of a resolution variously referring to the "unprovoked aggression" of the Russian Federation against Ukraine (GA/12492, 23 February 2023). This was preceded by a [declaration](#) to similar effect by US President Joe Biden (21 February 2023) and by a [declaration](#) (21 February 2023) by President Vladimir Putin justifying the Russian aggression

Introduction

Since the formal commencement of the conflict, there has been extensive commentary condemning the recourse to force by the Russian Federation. The United Nations General Assembly adopted a [resolution](#) to that effect on 2 March 2022 (GA/12407). This condemnation has since been frequently echoed by the leaders of countries, most notably members of NATO and of the European Union, and by the mainstream media.

Expression of alternative perspectives has been limited -- and actively suppressed as "disinformation" whenever possible. Those articulating such perspectives have been discredited and personally condemned, if not actively sanctioned in some manner. Whilst condemning the aggression, the argument they have variously endeavoured to convey focuses on the sense in which Russia has perceived itself to be exposed to progressive encroachment -- even encirclement-- notably in support of an agenda of NATO and the

USA towards the weakening of Russia (William Noah Glucroft, *NATO: Why Russia has a problem with its eastward expansion*, DW, 23 February 2022; M. K. Bhadrakumar, *Arc of encirclement appearing around Russia*, Asia Times, 21 November 2021).

Evidence for this encroachment is vigorously denied as "disinformation". This is despite publicised declarations of Angela Merkel and Francois Hollande that the [Minsk Agreements](#) with Russia from 2014 were effectively a subterfuge to enable Ukraine to rearm itself without addressing the ongoing [aggression from that time in the Donbass region](#) ([Holland backs up Merkel Revelation on Donbass Peace](#), Daily Telegraph, 31 December 2022).

The purpose in what follows is not to endeavour to disentangle such arguments -- if that were even possible in the current period. Rather the focus is on identifying examples of encroachment as a process. The equivalence between the various strategies of encroachment is discussed separately (*Errorism vs Terrorism? Encroachment, Complicity, Denial and Terraism*, 2004). In this version relatively little attention has been given to distinguishing between "encroachment by xxxx" in contrast with "encroachment of yyyy" or "encroachment on yyyy" -- which may be highly significant in some cases. The different meanings tend to be indicated here in the same cluster.

There is a strange historic irony to the hypocrisy of righteous condemnation of Russia at this time by leaders of countries which have derived their wealth from colonial exploitation -- and from the slave trade. To what extent have both given rise to "unprovoked aggression" and massacres -- a historical process which may well be glorified in the engagement with indigenous peoples? ([Lists of lists of massacres by country](#), 2022). Is that all too readily forgotten through skillfully crafted historic amnesia -- in which the United Nations is complicit? (*Societal Learning and the Erosion of Collective Memory*, 1980).

In accusing Russia, should the United Nations recognize the extent to which many countries have been proudly founded upon "unprovoked aggression" as a consequence of progressive colonial encroachment? What of Australia, Canada, New Zealand, and the USA where unresolved wounds continue to fester -- as for many in the Global South? (Krishen Mehta, *5 Reasons Why Much of the Global South Isn't Automatically Supporting the West in Ukraine*, Globetrotter, October 2022). What of the imperial ambitions of other countries in the past century? Can such questions be simply dismissed as instances of "whataboutism"? In decrying "unprovoked aggression" by another at the present time, the colonising power at the origin of the formation of the named countries currently acknowledges no responsibility for the past and present consequences of engendering the associated aggression.

To circumvent accusations of double standards, hypocrisy and bias, this suggests the possibility that those Member States voting to condemn the action of another Member of the UN should be invited to recuse themselves (by abstention) -- if they can be deemed to have previously engaged in the process now considered worthy of condemnation. To what voting patterns would this give rise -- or how might many votes be otherwise discounted where States are unable to acknowledge moral responsibility (claiming variants of [plausible deniability](#))? In this regard, curiously missing is any data on Members indicative of when they themselves last engaged in the practices on which they are called upon to vote from a position of new-found moral superiority.

The festering wound in Australia is exemplified by controversy over annual celebration of the arrival of colonists as [Australia Day](#) -- which the First Nations peoples call for recognition as [Invasion Day](#). Ironically efforts to offer a constitutional [Voice to Parliament](#) for those First Nations peoples are currently called into question by the leader of the opposition -- who has now celebrated the UN resolution condemning Russia (*Zelensky rallies world to keep up fight against evil*, The Australian, 25 February 2023).

Encroachment of biophysical space

Territorial encroachment

The following cases focus primarily on land and property defined by fixed boundaries:

- **Encroachment across "national" territorial boundaries:** Throughout human history there are numerous examples of one people encroaching on the territory of others. Territorial encroachment has often been fundamental to the foreign policies of countries: Russia's recent concern at the encroachment of NATO [\[more\]](#), Britain's concern in the 1900s at the encroachment of the Boers on neighbouring lands in southern Africa, the unwanted foreign encroachment experienced by China (including Russian encroachment into Manchuria, 1899-1900), etc (see also June Teufel Dreyer, *Encroaching On the Middle Kingdom? China's View of Its Place in the World* 2002) . In international law the principle of non-intervention between states specifically excludes all kinds of territorial encroachment, including temporary or limited operations (so-called "in-and-out operations"). Anytime one nation attacks another without direct provocation, the attacking nation is guilty of territorial encroachment, thus transgressing all international law.
- **Encroachment on lands of indigenous peoples:** Historically it is apparent that indigenous peoples were exposed to the most blatant forms of territorial encroachment, culminating in colonialism. Where the land was relatively unpopulated, the indigenous population often only became aware of the negative consequences after the settlers had effectively taken possession of the land. The problem was exacerbated in those cases where the settlers claimed ownership under a particular legal conception, whereas the indigenous population do not. The progressive encroachment on Native American lands by Europeans, and their subsequent restriction to reservations, offers a striking example. The process continues in Latin America and notably with respect to the indigenous peoples in the Amazon basin with the Latin American Association for Human Rights estimating that half of Colombia's indigenous tribes face extinction because of the encroaching violence [\[more\]](#). The encroachment process is legitimated and exacerbated by economic arguments in support of mining, logging, the need for transportation networks, construction of large dams (causing flooding of large areas). In promoting national development through trade liberalization, structural adjustment and the promotion of foreign direct investment, the World Bank routinely advises countries to rewrite national mining codes to facilitate large-scale mining by foreign companies. These revised mining codes are been pushed through without the participation of indigenous peoples and without taking into account the interests and rights of indigenous peoples [\[more\]](#). In the Middle East the IDF is understood to be encroaching on Palestinian Authority territory as a tactical measure to provide better security to its forces

and Jewish residents [more]. The International Red Cross has condemned Israel's "Wall" as encroaching on the West Bank territory of Palestine [more]. Others suggest that it is Palestinians who are encroaching on Israeli territory, not the other way round [more]. However the series of enclaves created by the Wall is also seen as emasculating Palestinians in their fight for land against the ever-encroaching Jewish settlements [more]

- **Encroachment on neighbouring property:** This the extension of any building, improvement or structure located on one property (such as a wall, fence or driveway) across a boundary line and onto adjoining property. Many have been exposed to this form of encroachment, whether through occupation of common frontage by a neighbour, growth or construction (or moving) of dividing fences to the disadvantage of one neighbour, disposal of rubbish such as to affect a neighbour, noisiness (power tools, music, etc) affecting a neighbour, constraints on rights of access, obstruction of "ancient lights" (such as by the growth of separating hedges), etc. The encroachment may be purely visual, as when one neighbour prefers a degree of nudity in their garden that is shocking to neighbours exposed to it, or exposure to treatment of animals, or to odours generated by cooking or animal husbandry. Encroachment by roots under boundary walls may also be a nuisance and cause damage.
- **Encroachment by squatters:** The progressive occupation of a property by squatters may be undertaken in such a way that, even legally, it becomes difficult to evict them.
- **Encroachment by "travellers":** People with a primarily nomadic lifestyle (such as gypsies) may temporarily occupy common land, or other property, in ways that come to be experienced by the inhabitants as encroachment. The issue may be less the use of the land and more the infiltration of the community by quite different standards of behaviour.
- **Encroachment of government land:** Such land encroachment (notably into national park areas) may be undertaken by native peoples, graziers, miners, slum-dwellers and others with vested interests. This may include the elites of a country.
- **Encroachment by refugees:** People forced (or choosing) to move from distant locations may occupy land (or take up employment) in such a way as to be experienced as encroachment by the original inhabitants -- however well-intentioned the latter in offering asylum (as in the case of Norway).
- **Game simulation of territorial encroachment:** Throughout world history, the two most popular territorial games are the chess of the Western world, and the *wei ch'i* of the East -- known in the West as the Japanese game of "go". These exemplify the two basic approaches to this category of games. Chess portrays the clash on a specific battle between two opposing armies. *Wei Ch'i* is a metaphorical expression of a war between two countries and involves broader strategic considerations of territorial encroachment. Go has a greater emphasis on sacrifice than chess; it is often the case in go that sacrifices, when part of a bigger plan, forms an important part of the strategy.

Environmental encroachment

The process in this case is often justified by the urgency of favouring "jobs" (or "industry", "shelter", etc) over "environment":

- **Urban encroachment on greenbelts:** This process is typical of so-called "green-field" "development" endeavouring to acquire space for housing, factory or highway construction. It may be preceded by re-zoning (where the rule of law is respected), but also occurs through uncontrolled construction of slum-style dwellings on the outskirts of towns which may have been formally declared to be greenbelt zones. Trees lining rural roads (as in France) may be removed with the argument that they are the cause of fatal accidents by drunken or speeding drivers.
- **Encroachment on urban parkland, gardens and trees:** Regulations governing greenery in cities may be progressively modified in ways that ensure the removal of trees, and the environmental degradation (or elimination) of gardens. Trees beyond the fences of sensitive sites (airports, power stations, etc) may be removed to prevent their use as cover by terrorists.
- **Encroachment on wilderness areas:** Nature was for hundreds of thousands of years an enemy to encroaching man. Encroachment on nature and wilderness habitats is now typified by the development of tourism in the form of walkers needing networks of paths and the needs of all-terrain drivers for challenging countryside (on which to test their vehicles and driving skills). Encroachment may also be justified by the need to generate energy through the construction of dams or wind farms, or the draining of lakes. The visionary sense of many of the great nature poets, valued the momentary epiphanies of place and object world as are rare events, to be preserved over against the encroaching destruction of nature as well as the alienating features of city or man-made environment -- making its beauty hard to apprehend.
- **Encroachment on forest land:** The issue of forest land encroachment and its consequent impact has been debated at all levels -- national and international. While the pro-encroachment lobby nationalizes encroachment of forest land on the basis of tribal land rights issues, livelihood and subsistence needs argument, the anti encroachment lobby points out the massive deforestation and accompanying degradation and its implications on the ecological stability.[more]
- **Encroachment through pollution:** The widely-reported insidious increase in the level of pollutants in the environment requires no comment concerning their encroachment on the ecosystems and their consequent degradation or loss of viability.
- **Desert encroachment:** ****
- **Salt-water encroachment:** ****
- **Flood plain encroachment:** This concerns the encroachment by development into plains that may be flooded very infrequently. [more]
- **Bush encroachment:** Bush encroachment affects the agricultural productivity and biodiversity of certain regions, notably southern Africa. Bush encroachment occurs in many arid regions where fuel loads are insufficient for fires to be an important causal factor. Trees will outcompete grasses and bush encroachment will result with current trends in carbon dioxide emissions exacerbating shifts from grass to woody plant domination [more]
- **Encroachment through species introduction:** The encroachment of invasive alien species eroding natural ecosystem is illustrated by classic cases such as the innocent introduction of rabbits into Australia and the subsequent need to engage in extremely violent and inhumane efforts to exterminate them. The introduction of genetically modified species illustrates the related danger in the case of traditional crops being progressively constrained by the modified species with unforeseen results.
- **Encroachment by wild animal groups:** Animals living in groups tend to control a geographic area, which is to say that de facto,

the alpha male and his allies own the geographic area. They defend their territory from encroachment and seek to encroach upon surrounding territories. Encroachment involves periodic stealthy forays into surrounding territory for the purpose of isolating and killing an individual from another group.

- **Smoking:** This familiar case highlights the nature of the behavioural context in which smoking initially appears to be a totally innocent activity. However, with the accumulation of the incidence of smoking, not only is an unpleasant environment created because of the smoke-filled air but the health hazards associated with (passive) smoking gradually become apparent. The challenge for the non-smoker regarding when, where and how to say "no" are also evident.

Encroachment of sociopolitical space

Group encroachment

- **Encroachment on group space:** Groups, as with individuals, surround themselves with an invisible area that functions as a boundary during group interaction. This has been termed group space. Encroachment on group space may occur when others perceive large physical distances separating group members or when the group is mistaken for a crowd. The number of group members (determining group physical size as group space) is perceived to increase as group membership increases.
- **Encroachment on a group:** This case involves the abuse, even betrayal, of good faith through infiltration of an individual into a group with intentions inimical to the group's survival. The most common example is infiltration of politically or ideologically active groups by their opponents, by intelligence/security services, or by government authorities. This form of encroachment is characteristic of espionage
- **Encroachment by a group on an individual:** This process is notably encountered in sects. Newcomers may be subjected to unexpected degrees of friendliness from a group to gain confidence and evoke sympathy for the group. In this form it is known as "love-bombing".
- **Encroachment by a group on another group:** This process has been publicized in the case of feminist corporate executive groups seeking to breakthrough the glass ceiling associated with the informal networks of their male colleagues. This may be characterized as infiltration. Another example, in time of intervention in response to crisis, is the encroachment by military forces on the humanitarian space that is the normal field of action of NGOs [\[more\]](#)
- **Encroachment of external interests on a group:** There is often a tension between the overt legitimizing function of cooptation which enhances its effectiveness in dealing with its external environment and the covert encroachment external interests on organizational power which deflects organizational activity from its intended goal. This tension underlies much of the debate in European integration between intergovernmentalism and supranationalism. [\[more\]](#)
- **Ethnic encroachment:** This is the case of the gradual increase in a community of the proportion of people of "foreign" ethnic origin, possibly as a result of a deliberate immigration policy, or possibly as refugees.
- **Encroachment by the needy:** In the case of education in need of special assistance, the term is used by education officials and financial analysts. It refers to money allegedly taken from funds for regular education to provide special education services, on the assumption that there is a gap between the money needed and the money provided. The argument is that school officials should not have to comply with such a mandate if they do not receive enough funds, although there is no agreement how much money is needed for special education. Encroachment then becomes the jargon of the shakedown artist, who, failing to extort more money, uses it as an excuse to resist the mandate itself. [\[more\]](#)
- **Gang encroachment:** Gangs are usually territorial in nature, identifying with a particular neighborhood and protecting their "turf" from encroachment by other gangs. Gangs may encroach on neighbouring communities, institutions (such as schools), terrorizing and intimidating law abiding citizens. They may also encroach on each other's territory, notably in the case of organized crime. Triggers for gang wars range from assaults on individuals to territorial encroachment by other gangs

Political encroachment

- **Encroachment of power:** For James Madison (*Federalist Papers*, #48), as one of the framers of the American Constitution: "It will not be denied, that power is of an encroaching nature, and that it ought to be effectually restrained from passing the limits assigned to it. After discriminating, therefore, in theory, the several classes of power, as they may in their nature be legislative, executive, or judiciary, the next and most difficult task is to provide some practical security for each, against the invasion of the others. What this security ought to be, is the great problem to be solved. Will it be sufficient to mark, with precision, the boundaries of these departments, in the constitution of the government, and to trust to these parchment barriers against the encroaching spirit of power?... The conclusion which I am warranted in drawing from these observations is, that a mere demarcation on parchment of the constitutional limits of the several departments, is not a sufficient guard against those encroachments which lead to a tyrannical concentration of all the powers of government in the same hands." In 1766, Jonathan Mayhew, pastor of Boston's West Church, and one of the most celebrated men associated with early American opposition to British tyranny, observed: "*Power is of a grasping, encroaching nature, in all beings, except in him, to whom it emphatically 'belongeth'; and who is the only King that, in a religious or moral sense, 'can do no wrong. Power aims at extending itself, and operating according to mere will, wherever it meets with no balance, check, control or opposition of any kind. For which reason it will always be necessary . . . for those who would preserve and perpetuate their liberties, to guard them with a wakeful attention; and in . . . just and prudent ways, to oppose the first encroachments on them. 'Obsta Principiis.' After a while it will be too late.*" [\[more\]](#)
- **Encroachment of the state on religion:** This has been concern throughout the history of the Catholic church exposed to encroachment on its inalienable rights.
- **Hegemonic encroachment:** This form of encroachment has been variously attributed to the USA (as the world's superpower seeking to establish a global empire), to Western medicine (over alternative medicines), Hindu encroachment of the essentially Sramanic values of nonviolence, or of languages such as Mandarin (into Chinese areas of minority languages). In the form of

imperial encroachment, it has been a major concern for less powerful countries throughout history, and more recently, to socialist and communist regimes sensitive to imperialist capitalist encroachment. Countries such as UK, France, Spain, Portugal, Denmark, Sweden, Norway and Switzerland, all fought imperial encroachment for centuries, and with respect to the European Union are hence currently inclined to associate an overarching continental political authority with the reappearance of the "Reich" in a new guise.

- **Currency encroachment:** The US attack on Iraq has caused that the real reason for this was a defence of the US dollar against the use of the Euro in oil exports and payments by OPEC member countries [\[more\]](#)

Legal and government encroachment

This is the process whereby other patterns of encroachment are given substance through legislation, "red tape" and criminalization of alternative activities:

- **Encroachment by precedent creation:** This process is currently the subject of media attention in relation to the marriage of gay couples. Where this is accepted, the precedent is perceived by more conservative constituencies as highly dangerous.
- **Encroachment by legal directive:** It is this process which is the focus of much negative reaction amongst citizens of Europe faced with the seemingly arbitrary imposition of numerous constraints on valued traditional patterns of agriculture, husbandry and consumption. An "encroachment permit" is a written permit authorizing certain work to be done within a publicly maintained right-of-way.
- **Encroachment on civil rights:** This process has been highlighted by the actions around the world in response to terrorism [\[more\]](#). Legislation for which many have struggled to protect human rights is set aside as a strategy supportive of "national security". Concern for the stages of encroachment on civil rights has also been explored in relation to the Second Amendment to the US Constitution [\[more\]](#). For individual freedom to be viable, it must be a part of the shared values of a society, and there must be an institutional framework to preserve it against encroachments by majoritarian or government will. Even in societies with a tradition of freedom, such as the USA, the values supporting that freedom have suffered erosion and have proven an insufficient safeguard against encroachment by the state. Moral outrage is a response to the encroachment on what people perceive to be their immunities (and those of the groups and cultures with whom they identify). These rights and privileges make up the contents of that person's social persona and also constitute that person's social territory. Infringements of rights and privileges in the social and symbolic worlds in which humans live are the equivalent of encroachments on territory among animals. Moral outrage has been explored as the human expression of what is perceived as territorial behavior in animals. Political rights have been defined as "freedom from encroachment" in contrast to an understanding of economic rights as the "freedom to encroach."
- **Encroachment on workers rights:** This is an important aspect of encroachment on civil rights and is a continuing preoccupation of trade unions.
- **Encroachment on the commons:** Much of the world has been treated as a "commons" wherein individuals have the right to freely consume its resources and return their wastes. As articulated by Garrett Hardin (*Tragedy of the Commons*, 1968), the "logic of the commons" ultimately produces its ruin as well as the demise of those who depend upon it for survival. For Carmine Gorga (*Toward the Definition of Economic Rights*, 1999), the theory of economic justice has been thought to be composed of two major parts, distributive and commutative justice - with the latter presenting rules of justice that applied to the exchange of goods and services. The right to participate in the production of wealth must then have seemed so natural, so innate in human beings, that no need was felt to specify it in writing. With the progressive closure of the commons, the full development of a monetary economy, and the propensity to cluster immense concentrations of wealth in a few hands, the economic conditions of the world have, indeed, changed.
- **Encroachment on right of way:** Access to traditional rights of way (pathways and access to property and beaches, for example) may be gradually reduced through a process of encroachment. Any subsequent use of such rights of way then itself becomes a trespass, seen as an encroachment.
- **Encroachment of the public:** As expressed by Sam Vaknin (*The Encroachment of the Public*, 2004): "In theory, private life is insulated and shielded from social pressures, the ambit of norms and laws, and even the strictures of public morality. Reality, though, is different. The encroachment of the public is inexorable and, probably, irreversible. The individual is forced to share, consent to, or merely obey a panoply of laws, norms, and regulations not only in his or her relationships with others - but also when solitary. Failure to comply -- and to be seen to be conforming -- leads to dire consequences. In a morbid twist, public morality is now synonymous with social orthodoxy, political authority, and the exercise of police powers. The quiddity, remit, and attendant rights of the private sphere are now determined publicly, by the state". People can stop the encroachment of government into individual freedoms by electing representatives who pledge to uphold constitutional limitations of government power, but the candidates who make such a pledge are rarely elected, as opposed to those who promise to provide even more government power and control, along with increased social programs. Constitutions may provide for unalienable rights as primary protection of citizens from government's stealthy and arbitrary use of power or its encroachment into their private affairs [\[more\]](#). The protection of private property against the encroachment by government laws and regulations is a major issue -- with proponents of legislation arguing that it is necessary to protect private property and private property rights against encroachment by the proliferation of laws and government regulations that stem from public concerns for protection of the environment and the needs of an increasingly complex society. Encroachments on civil liberties may confuse the judgment of the most active civil liberties advocates, who lump all rights together, and as a result, oversimplify their arguments. When civil liberties are seen as a single entity, any abridgment of any right at any time is cause for alarm, because it is interpreted as an attack on the body of rights as a whole -- encroachment upon one right encourages encroachment upon others.
- **Institutional encroachment:** National political arguments may be elaborated so as to result in institutional encroachment. In the case of Slovakia, for example, it has been argued that absence of effective restraints at the institutional level results in the removal of restraints at the electoral level -- the governing coalition has used nationally-oriented explanations to justify some of its encroachments, to discredit criticism of those encroachments, and to convince voters that such encroachments matter little in the

face of larger threats. [\[more\]](#)

- **Encroachment by legal entrapment:** A person is "entrapped" when induced or persuaded by law enforcement officers or their agents to commit a crime that they had no previous intent to commit. However, there is no entrapment where a person is ready and willing to break the law and the government agents merely provide what appears to be a favorable opportunity for the person to commit the crime.
- **Encroachment by bureaucracy:** Encroaching bureaucracy is perceived as a threat in many groups, and collective initiatives. Towards the end of his life, Lenin, for example, was greatly concerned by the encroaching bureaucracy. Managers of organizations are attentive to interpretation of some of their initiatives (general policies, procedures, rules, etc) as encroaching bureaucracy. The major reason for the encroachment of bureaucratic organization into the performance of routinised tasks is its efficiency. But the issue of "red tape" is of particular concern to business which sees itself faced with a relentless battle against an encroaching bureaucracy -- notably instigated by government. The encroachment of bureaucracy across modern capitalism is thus both cause and consequence of the rationalization of law, politics and industry, being the concrete -- the administrative manifestation of the rationalization of action which has penetrated into all spheres of Western culture
- **Encroachment by trade rules:** Concern has been expressed at the inappropriate and unacceptable encroachment by WTO trade rules in areas critical to human or planetary welfare, such as food and water, basic social services, health and safety, and animal protection. Such encroachment has, for example, already resulted in campaigns on genetically modified organisms, old growth forests, domestically prohibited goods and predatory tobacco marketing.
- **Encroachment of criminal law in administrative law:** In the Netherlands, for example, there is concern that criminal law principles and standards have encroached upon a part of administrative law (i.e. that of the punitive administrative sanctions) through the application of the criminal law standards and principles from international treaties which are directly applicable within the Dutch legal order [\[more\]](#)

Encroachment of economic space

Encroachment of commercial space

These cases concern the use of (possibly socially irresponsible) marketing strategies to encroach upon pre-existing patterns of production, service delivery and consumption:

- **Encroachment by product substitution:** In this case existing products are progressively displaced by new products. This is especially problematic when the new products are effectively of inferior quality to older traditional products. Products traditionally perceived as luxuries may be converted through marketing into necessities in order to build patterns of dependency. High tech product, notably computer software, may be designed so as to progressively "lock in" clients so that it is more costly for them to switch to alternative products.
- **Brand encroachment:** This is a major problem that may have severe implications for franchisors and franchisees. It can be described as the business that an existing store/outlet loses when a new brand comes into the group. Brands only prosper when protected from unreasonable encroachment. Brand encroachment may lead to another serious issue, namely damage to the franchisor-franchisee relationship. Encroachment may occur when the franchisor opens an outlet on the doorstep of an existing franchisee or if the franchisor acquires brands competing directly with the current franchisees. Encroachment is one of the most prominent management issues in franchising, as markets near saturation and brands keep proliferating to diminish the slice each franchised system and franchisee has of the market [\[more\]](#)
- **Encroachment by service substitution:** Here the traditional manner of delivery of products is progressively displaced by manufacturing and delivery systems that derive advantage from economies of scale. Smaller shop-keepers are displaced by franchises and hypermarkets. Competition between large commercial service enterprises may be notably focused on progressive encroachment on the territory of competitors, such as through franchising.
- **Encroachment by addictive substances:** This may be seen as a special case of product substitution in which social use is gradually scaled up to dependency.

Encroachment of profit-making

- **Encroachment of for-profit enterprises:** Proliferation of for-profit centers in Canada and the USA is perceived as encroaching on the long-term viability of non-profit hospitals that are the backbone of the American medical system [\[more\]](#) [\[more\]](#). Nonprofit community colleges have constructed competitive programs to maintain market dominance against for-profit encroachment
- **Capitalist encroachment:** Peasant farmers have often been among the first to protest or rebel against the expansion of capitalism -- to capitalist encroachment -- and to their increased marginalization in a world of large-scale agriculture. Such farmers have not fared as well as others in the expansion of capitalism. In France, modern Marxist anthropology has primarily developed as an attempt to come to terms with the economic organization of local communities, especially in Africa, trying to identify the material aspects of production and reproduction, and the relations of exploitation around which these revolve; a major issue in this context has been the forms and effects of capitalist encroachment. In the Solomon Islands, the encroaching world makes it harder for islanders to benefit from their traditional cultural of sharing [\[more\]](#).
- **Corporate encroachment:** In the absence of a coherent alternative, transnational corporations weave global webs of production, commerce, culture and finance virtually unopposed -- concentrating ever more wealth in a limited number of hands. Underpinning this effort is not the historical inevitability of an evolving, enlightened civilization, but rather the unavoidable reality of the overriding corporate purpose: the maximization of profits. One consequence of this predominant trend is that our Blue Planet, home to untold cultural and biological diversity is being held hostage to the tyranny of the bottom line. This "corporate planet" is encroaching upon the "blue planet", commodifying it, homogenizing it and enclosing it with its predatory global reach. [\[more\]](#) [\[more\]](#)

Military-Industrial encroachment

Industrial encroachment

Industrial encroachment is usually a feature of urban sprawl and is a consequence of inadequate balance between economic development and preservation of natural resources (e.g. open space, land, water). Such uncontrolled industrial development has pushed many immigrant communities to the brink of extinction. Unused urban spaces may lie between industrial complexes and residential neighborhoods. New development then take place across the street from people's homes resulting in a reduction in the quality of life for the families who live in those homes. A particularly serious conflict arises when an industrial concern attempts to use this land for activities that could be considered noxious (anything that produces an abundance of pollution, noise, or unpleasant odors).

Military encroachment

- **Military encroachment on domestic law enforcement:** One side-effect of the war on terrorism has been the tendency of the military to encroach upon domestic intelligence gathering and law enforcement -- a sensitive area that has been off-limits to it historically. In the USA, for example, Americans have not in the past trusted the military to do domestic police work. The 1878 Posse Comitatus Act, passed in response to abuses by federal troops in the South after the Civil War, prohibits the use of the military "to execute the laws" of the U.S. This has been widely interpreted as a ban on searching, arresting or spying on U.S. civilians by federal troops. [[more](#) | [more](#)]
- **Military encroachment on civilian rule:**
- **Military encroachment on the environment:** This refers to the urban development of areas immediately surrounding military installations. During its 2001 legislative session, the US Congress devoted a great deal of time and focus to the topic of encroachment, defined in this case as the real or perceived conflict between the military training mission and the physical environment of habitat, species, people and communities. The problem of encroachment arises because all need land for some form of activity, and those needs are often at odds with one another. Encroachment can take the form of expansion of civilian activity (residential and commercial development) into formerly remote military training areas. Military noise, air pollution, and water pollution threaten or annoy the public. And public activity, from traffic to electromagnetic spectrum use to even a rise in ambient light levels at night, may interfere with military operations. Encroachment and habitat preservation are at times related. Where urban sprawl approaches the boundaries of military ranges, development destroys habitat. Military facilities which previously supported only portions of ecosystems bear increasing responsibility for protecting the disappearing remainder. In those cases, policies that discourage encroachment simultaneously are likely to give the military more flexibility in managing the habitat that it owns. [[more](#) | [more](#)]
- **Military encroachment of national borders:** Countries become concerned at military action (including "exercises") close to their borders -- and with a tendency to cross them, whether accidentally or deliberately. Russia, for example, is concerned at the possible movement of American military bases from Germany to Poland and Romania [[more](#)]. This applies in particular to encroachment on national airspace through unauthorized overflying.
- **Military encroachment on education:** The military establishment understands the key role that schools play in the shaping of people's values and attitudes, and they know that the deeper they penetrate into education, the greater their influence will be on society as a whole. Their goal is not just to attract enlistees; it is also to strengthen the position of the armed forces, in general, by teaching military values to a larger segment of the population and affecting people's worldview. If such encroachment on education is allowed to continue, the result will be a more conservative political climate and, in the long term, a breakdown in the protective barriers that prevent further military encroachment on civilian rule. [[more](#) | [more](#)]

Encroachment of technology

There is increasing concern to protect consumers from encroaching technology products and services. In the case of education, for example, there is concern that new technologies come to substitute for those contexts and methods recognized as essential for learning to write. According to Michael Weinstein (*Culture/Flesh: Explorations of Postcivilized Modernity*), people fiddling with their own natures -- doing things like gulping tranquilizers, sleeping in hyperbaric chambers, and flagpole sitting.-- in order to cope with encroaching technology. David Silver (*Three Approaches Towards Encroaching Technology*).

Encroachment of psycho-cultural space

Communication encroachment

These cases effectively relate to intangible products and services and may be labelled as "cultural imperialism":

- **Encroachment by mass media:** Here the encroachment takes the form of dissemination of messages, understood as market "penetration", across cultural and other boundaries. It includes the use of periodicals, broadcast and TV media, video, film, billboards, and the internet. The messages communicated may directly (as advertising) or indirectly (notably as placement advertising) sustain patterns of consumption consistent with product and service substitution. The encroachment of media into politics is of increasing concern in an era of government news management. (see also Benjamin M. Compaine, *The Myths of Encroaching Global Media Ownership*, 2001)
- **Encroachment by advertising:** The significance of advertising's encroachment is not in the power of advertisers, but in the near-complete inscription of consumerism into the national life. In this view consumerism is so closely linked to identity that it has resulted in a new form of social analysis that defines classes by what products they purchase.
- **Encroachment by design:** This may be partly considered as a special case of encroachment by the mass media. It involves the dissemination of fashionable images designed to displace products (clothing, decor, architecture, etc) of more traditional design.
- **Encroachment by sound:** In contrast to encroachment by visual imagery, here the emphasis is on the creation of invasive

soundscapes in public and private spaces -- to the exclusion of other sounds and silence.

- **Linguistic encroachment:** Many countries endeavour to combat the linguistic encroachment of the world's two imperialistic languages: English and French. But the French themselves remain highly vigilant against this linguistic encroachment and have created a language gendarme to resist the invasion of Anglicized expressions. In some cases, the words of non-English cultures are much more effective than the English words encouraged by globalization and displaced by such encroachment. There is concern over the encroachment of vulgar words into public discourse.

Encroachment of knowledge space

- **Encroachment on standards of proof:** Notably as a consequence of the pressure to demonstrate progress in the "war on terrorism", and to constrain those suspected of being associated with terrorism in some way, the standards of proof, normally associated with the rules of evidence, are being relaxed. For example, in the USA Section 4(c) of Bush's Military Order authorizing military tribunals directs the Secretary of Defense to set the standard of proof for each trial. Variable standards of proof render justice arbitrary [[more](#) | [more](#) | [more](#)]. In the case of the rules of procedure and evidence drawn up by international judges on the International Criminal Tribunal for the Former Yugoslavia, hearsay is admissible, the identity of witnesses may be withheld from the accused, they may be allowed to testify from a remote location, decisions are taken by a less than unanimous vote, the standards of proof are lower than in American courts, a form of trial *in absentia* may be held, and there are significant protections for national intelligence. There is a certain inconsistency in the fact that one needs proof beyond a reasonable doubt to convict someone, and yet one does not need proof beyond a reasonable doubt in order to use lethal force. But the predicate necessary for incursions into liberty within a democratic society has always been different than the somewhat thinner predicate used to make national security decisions. One cannot ask for the same standards of proof in foreign policy as in criminal justice; once you juridicalize foreign policy, however, it's not surprising that people will demand consistency in the standards of proof. This is potentially restrictive [[more](#)]. In the UK in 2004 highly controversial plans for new anti-terrorism powers were announced to see suspects convicted on lower standards of proof than the criminal courts and of crimes not yet even committed - such as an intent to execute a suicide bombing [[more](#)].
- **Disciplinary encroachment:** With the rise of scientific authoritarianism, traditional practices such as child-rearing have become profoundly influenced by social science, especially psychology. This has raised the question whether this encroachment by science into traditionally nonscientific domains justified or whether science should respect its historical boundaries -- making it unclear how it should progress. Disciplinary encroachment, as presented in an example by Christopher J. Mackie ([A Computational Model of Emergent Sociopolitical Identity](#), 2003): "It is this scenario in which the possibility of disciplinary encroachment plays out. If social complexity can find enough of a foothold in protective clusters, then it may produce the kinds of research needed by the physical-science community models, and forestall any systematic or widespread encroachment. On the other hand, if they do not achieve sufficient standing and success to provide those kinds of insights, then the same social complexity clusters, because of the tools and values they share with complexity researchers in the physical sciences and the relatively frequent interactions among the two groups, could provide footholds for the early stages of those encroachments. There is no way to predict from here which way matters would play out, or even what constitutes 'enough' progress to forestall intrusion. The rules of complex systems analysis apply: as the day approaches, we will be able to forecast, but not necessarily in time to do anything useful to alter the eventual outcome". In the case of therapy for example, an emphasis on "core concepts" can be read as a defensive attempt to preserve existing practices and positions within psychotherapy against possible encroachment and challenge by other constructs ("newcomer concepts", "surrounding concepts", "infiltrating concepts") allied to more subjugated communities and discourses. User groups and psychotherapy survivors might well suggest a different range of core concept titles from those that tend to be used by psychotherapy professionals.[[more](#)]
- **Professional encroachment:** This is closely related to disciplinary encroachment but is particularly focused on the integrity of the profession employing a discipline. Professionals in a particular discipline may be concerned at the encroachment on their profession by untrained and unqualified persons. In the case of the therapy professions, for example, people of diverse qualifications may advertise therapy, perhaps offering only a single programme, firmly believe they are providing services within their scope of practice. Misunderstanding may further arise from terming their various programs "therapy", when therapy should be understood as the application of research-based strategies, selected by a professional who has a firm educational and developmental background in those methodologies.

Ideological encroachment

In contrast with the intangible products and services described above, the following cases relate to concepts and insights that are much more distantly related to tangibles and are more likely to be characterized as "spiritual pollution" rather than as "cultural pollution":

- **Encroachment by propaganda:** This involves the deliberate use of communication as a carrier for messages in support of a preferred ideology, sociopolitical system and lifestyle. Failure to subscribe to these messages -- ideological backsliding or "stepping over the line" -- may result in severe sanctions. The initiatives of each side in the Cold War were perceived as ideological encroachment by the other.
- **Encroachment by religion:** In a post-colonial world, religion may be viewed in newly independent countries as an encroaching ideology or tool of oppression. Many religions have a commitment to proselytize, namely to spread a particular spiritual message designed to displace other understandings framed as dangerously misguided. This encroachment may have a strong emphasis on physical territory (as in Northern Ireland). In a missionary mode (focused on "planting churches" in the Christian case), such religious action may be perceived by other belief systems as encroachment. Religions themselves may be subject to schisms and the dissemination of schismatic messages labelled as heresies. As part of their encroachment strategy, organized religions may endeavour to construct their places of worship within the framework of the religious sites of the displaced belief system -- as is evident in the construction of churches on pagan sites. As the degree of encroachment increases, any protest may be framed as the "Voice of Satan", for example. History has explored the phenomenon of encroachment by religion on the state and the sphere

of civil authority. The matter has been of concern in the debate on the separation between religion and government, which involves not only the protection of religion from state but also the state from religion -- expressed by James Madison as the "danger of encroachment by ecclesiastical bodies" [[more](#)]

- **Encroachment of hegemonic ideology:** With respect to rice research in Africa, for example, international development assistance and encroaching hegemonic ideology have been recognized as inhibiting development possibilities [[more](#)].

Encroachment of symbolic space

- **Encroachment of imaginal space:** Faced with a world of nature, which is oblivious to personal values and desires, seemingly inhuman in shape, and manifesting no discernible larger intelligence or morality, the imagination is used (in the terms of Northrop Frye (*The Educated Imagination*, 1964) to turn nature into a more "human world" that looks more like home. For Frye this "human world" is notably created by producing literature, which allows people to explore alternative models of human experience. Here, instead of re-creating physical reality in our own image, fictional versions of reality are invented that let people to see a vision of the world as it can be imagined and as people might wish it to be. [[more](#)]
- **Gender encroachment:** Michael Bauman (*Verbal Plunder: Combating the Feminist Encroachment on the Language of Theology and Ethics*) : "Feminist word thieves have taken traditionally generic terms of representation like he, his, and mankind and redefined them so that they can be understood only as sexist or gender specific. In much the same way that weasels suck the contents out of eggs, the feminists suck the content out of words. Then they go the weasels one better. Rather than leaving the empty shell of a word behind them, they proceed to refill that mangled word with a definition of their own choosing. For example, according to one prominent feminist handbook, the 'only acceptable nonsexist usage' of the word man is in reference to an adult male. But that is a feminist weasel word, one from which the feminists have sucked out its prior meaning and replaced it with one of their own. According to my Webster's Dictionary, the word man is not fundamentally a male word. In fact, the concept of maleness does not enter until the third definition. Contrary to the self-serving assertions of the feminist verbal revolutionaries, traditional usage is ideologically patriarchal in neither definition or usage. My point (if it is not obvious) is this: rather than having a command of language, the feminists want to command language."
- **Psychic encroachment:** This is considered, notably by exorcists, to be a phase leading to demonic possession in which negative spirit is given an opening to a human being, either through voluntary means, such as a satanic ritual, or through involuntary means, such as a curse or the performance of an unholy act. It is the stage where permission was granted either willingly or unwillingly for the spirit or spirits to take hold. For example, the *Roman Ritual of Christian Exorcism* reads: "I cast thee out, thou unclean spirit, along with the least encroachment of the wicked enemy and every phantom and diabolical legion. In the name of our Lord Jesus Christ, depart and vanish from this creature of God..." [[more](#) | [more](#)]
- **Encroachment of violence:** According to [Herbert Marcuse](#) (1967), the encroachment of aggression on the domain of the life instincts devalues the aesthetic dimension. The aggressive business practices which turn ever more spaces of protective nature into a medium of commercial fulfillment and fun thus do not merely offend beauty - they repress biological necessities. Eros and Civilization.
- **Encroachment of values:** The growth of science has shaped understanding of the world in diverse ways, notably through the encroachment of science upon ethics. In a world made ever smaller by advances in technology, increasingly interconnected by the spread of global capitalism, and the erosion of the buffers of time and space between different countries and diverse cultures, existing tensions and armed conflicts may be motivated in part by the encroachment of values and attitudes associated with the spread of global capitalism upon cultures and societies that hold very different values and harbour vastly different aspirations [[more](#)]. Islamic "fundamentalism" began in the 1970s as a way to return to the roots of the Islamic identity and safeguard it against the encroaching values of secular and consumeristic Western culture. Traditional indigenous tribal structures may be dangerously undermined in a society whose cohesion has been eroded by the encroaching values of the outside world, and whose spiritual beliefs have been clouded -- by missionaries and modern civilization, for example. Hilton Kramer and Roger Kimball (*The Survival of Culture: Permanent Values in a Virtual Age*, 2003) articulate the need to struggle to uphold traditional Western values -- those embracing individualism and capitalist democracy -- in the face of "the encroaching desert of mindless conformity and rancorous political correctness."
- **Encroachment of a sense of crisis:** In the words of J.S. Chiappalone (*A World in Crisis*, 2001): "Suddenly there are forced upon many minds, very aware ones and less aware ones, many issues and fears which shatter the laboriously molded paradigms of normality we hoped would see us to the end of our lives. One of the fears encroaching on minds is the fear that whatever paradigms of normality we had, they are now not sufficient. Suddenly the world makes less sense; suddenly the guard rails we used to set our minds at ease in times of crises are no longer there. Suddenly we feel vulnerable as never before. It is as if a massive mental earthquake has shattered our inner being and we are on shifting mental ground, trying to make sense of that which is no longer familiar."

Encroachment of intrapersonal space

Behavioural encroachment

Relationships between two people that involve an investment of trust by one party in the capabilities, knowledge or expertise of the other -- to act in the former's self-interest -- are known as fiduciary relationships. They include relationships between teachers and students, lawyers and their clients, doctors and patients, clergy and parishioner, therapist and client. In these cases encroachment is experienced in terms of the dynamics of behaviour, and may be associated with forms of ingratiation. The cases are experienced as problematic to different degrees in different cultures, notably with respect to authority (cf Geert Hofstede):

- **Child encroaching on parent (or adult):** Often characterized by the phrase "trying it on", a child may explore the boundaries of acceptable behaviour as determined by an adult, and then seek to extend those boundaries. As with the issue of neighbouring

properties, the adult may experience a degree of invasion of space -- especially when the adult is not the parent. Adults may accept such encroachment with benign bemusement when it is exceptional, but may find it unacceptable as a regular pattern.

- **Pupil encroaching on a teacher:** Students devote much energy to testing the boundaries imposed by teachers. The encroachment experienced may be such as to discourage many from joining the teaching profession or remaining in it.
- **Employee encroachment on a superior:** As with students, employees frequently seek to extend the behavioural space accorded to them by employers. This may take the form of familiarity, relaxation of time or work discipline, or use of facilities normally reserved for their bosses. This is a particular concern in the military where the relationship of subordinate to superior may undermine discipline and the capacity to control military forces.
- **Encroachment on privileged by underprivileged:** This is most evident in the relationship between poorer relatives and those of wealth. Typically this may be described as ingratiating through which the poorer relative acquires advantages from the richer one. Regular encounters with a beggar raise similar issues.
- **Driver behaviour in traffic:** In this case encroachment is most evident in "tail-gating" and "cutting in" (notably in Indonesia) . In contrast to many of the other cases, the cycle of encroachment behaviour is played out in minutes, if not seconds.
- **Encroachment on privacy:** The most blatant form is described as "invasion of privacy" but the preceding phase of encroachment is better described as degree of "intrusion" which is not significant enough to warrant formal action or protest.
- **Encroachment by stalker:** This may be associated with eventual sexual harassment, or may be focused on media or other personalities. It can be understood as a special instance of encroachment on privacy.
- **Encroachment by therapists:** The abuse of patients and clients (whether intentional or unintentional) by those professionals responsible for their care is an issue of concern in the health and social care services. Professional abuse in psychotherapy, encroaching on inappropriately on the client's integrity, may constitute very different behaviours in different therapeutic contexts. In order to be able to make use of a professional service, the patient needs to invest a large degree of trust in the therapist. The relationship is therefore unequal, because it involves the professional in gaining privileged access to the personal and private life of their patient/client. In the majority of cases it takes great courage for a client to protest against the authority of the therapist they believed was going to help them, and to go on to confront them via the complaints process. Misuse of the concept of the client's negative transference is often presented as a defence against allegations of abuse. This enables the therapist to dismiss the real experiences of the client as destructive or distorted fantasy [[more](#)]

Encroachment of personal space

In contrast with the personal space defined by fixed boundaries (see above), two forms of individual space are distinguished (by the communication discipline of proxemics) and associated with distinct forms of encroachment (often labelled in each case as "crowding"):

- **Encroachment on informal space:** The informal space is characterized by the transportable personal zone or "bubble" that varies for individuals and circumstances. This is the area that humans control and use most often and seek to protect from encroachment and intrusion by others. Encroachment on this space typically can impede or promote the act of communication. Encroachment tends to heighten, or escalate anxiety. Four zones of personal space have been distinguished: the intimate distance for embracing or whispering (15-20cm), the personal distance for conversations among good friends (45-120cm), social distance for conversations among acquaintances (1.2-3.5m), and public distance used for public speaking (3.5m or more). The dimensions of these zones may vary significantly for different cultures and individuals. Encroachment may be tolerated to a higher degree in the case of friends, depending on the degree of friendship and the current state of the relationship. Tolerance of encroachment may be affected by appropriate demonstration of humility and social politeness before or after the fact. [[more](#) | [more](#)]
- **Encroachment on personal territory:** This is the semi-fixed territory established by a person, for example, in relation to furniture in an office environment (or seating in a multi-session seminar). It becomes a person's safety zone where he or she can rest from the rigors of defending personal space from encroachment or invasion. Territoriality is established so rapidly that even the second session in a series of lectures is sufficient to find most of the audience returning to their same seats. [[more](#)]

Sexual encroachment

These are effectively special instances of encroachment on personal space in which boundaries are tested by increasingly "daring" initiatives, usually involving some form of physical contact (touching, fondling, etc) that are at the boundaries of unremarkable acceptability:

- **Sexual encroachment involving people of authority :**
 - **Adult encroachment on child (child abuse):** The processes in this much publicized situation call for little comment. They depend on the manipulation of an assumed relation of confidence between child and adult. With the opportunities of internet "chatting" and "chat rooms", the process of an adult "grooming" a younger person for sexual advances has become more clearly recognized. Such grooming also occurs outside the internet environment.
 - **Encroachment of priest on parishioner:** A priest may manipulate the confidence of the person in his (or her) charge in order to gain sexual advantages. The confidence may be based on the spiritual commitment of the abused party or the authority that the priest is able to exert over that person, irrespective of any such commitment -- as with the much publicized cases of religious orders operating schools for boys.
 - **Encroachment of superior on subordinate:** This more general case is typical of sexual harassment in a work environment where raising objections or refusing may have negative consequences. It may be understood as any unwelcome sexual advance or conduct on the job, having the effect of making the workplace intimidating, hostile or offensive. It may refer to: unwanted touching of a co-worker's private parts, lewd and uncalled for comments, talk about gender superiority, sexual jokes, etc. Although not always meant to, certain comments may sound rude or amount to sexual harassment, depending on context.
 - **Encroachment of teacher (coach) on student :** This is another common and much publicized form of encroachment

given recent controversial prominence by feminist author Naomi Wolf (*The Silent Treatment*, 2004): "But sexual encroachment in an educational context or a workplace is, most seriously, a corruption of meritocracy; it is in this sense parallel to bribery. I was not traumatized personally, but my educational experience was corrupted. If we rephrase sexual transgression in school and work as a civil-rights and civil-society issue, everything becomes less emotional, less personal. If we see this as a systemic-corruption issue, then when people bring allegations, the focus will be on whether the institution has been damaged in its larger mission."

- **Sexual encroachment between peers:**

- **Encroachment through provocative display:** People all play devious games with thresholds of awareness based on deniable culpability. One game for women, in some cultures, is clearly to make themselves as "attractive" as possible, by exposing the optimum number of biological triggers to members of the opposite sex, under conditions where any overt response is considered inappropriate. To what extent is "sexual harassment of women" in the West defined by the game in which men break the rules when they respond with touch or voice to purportedly neutral messages conveyed through sight and smell? The corresponding game of "sexual harassment of men" might then be defined as that in which women break the rules when they respond with visible or olfactory attractors to purportedly neutral messages conveyed by men through voice or touch. Presumably other variants are played out in other cultures.
- **Encroachment through flirting:** According to the *SIRC Guide to Flirting*, flirting is a universal and essential aspect of human interaction. Anthropological research shows that flirting is to be found, in some form, in all cultures and societies around the world. It is a basic instinct, part of human nature. According to some evolutionary psychologists, flirting may even be the foundation of civilization as we know it. Our achievements in everything from art to rocket science may be merely a side-effect of the essential ability to charm. Flirting is governed by a complex set of unwritten laws of etiquette. These rules dictate where, when, with whom and in what manner people may flirt. We generally obey these unofficial laws instinctively, without being conscious of doing so. We only become aware of the rules when someone commits a breach of this etiquette -- by flirting with the wrong person, perhaps, or at an inappropriate time or place. Flirting may be viewed as a unilateral exercise in encroachment. It may however be an exercise in a form of mutual encroachment as each seeks to increase the degree of rapprochement.

Temporal encroachment

In this case the encroachment by some is focused on the temporal "space" to which others attach value:

- **Encroachment in respecting scheduled engagements:** This is the well-known phenomenon whereby one party effectively habituates the other to waiting beyond the scheduled time of the appointment. It may be used to confirm status differences, the length of the wait being a measure of the degree of encroachment to which the other party has been conditioned and is therefore a measure of status. Examples include the delays in starting meetings (the academic "quarter of an hour"). Perception of these delays as encroachment may vary significantly between cultures (typically in contrasting the Teutonic and Latin cultures).
- **Encroachment on the future:** Actions in the present are recognized as constraining the options available to future generations. Use of nuclear energy, with the need to dispose of radioactive waste, is an example. Destruction of rain-forests and other ecosystems is another. As with encroachment in general, seemingly minor actions today may combine to create situations tomorrow which are necessarily violent and disproportionate. The institutionalization of inequality, impoverishment and excessive privilege have typically engendered revolution at the expense of past generations and their achievements.
- **Encroachment on the past:** This is the process whereby the interpretation of history is modified to accommodate, and even legitimate, present-day values and priorities. Historical revisionism has been publicized in relation to interpretations of evidence for the Nazi Holocaust. More generally historical "facts" are variously interpreted, whether by acknowledging, ignoring, or giving varying weights in order to evidence. In contrast with the other forms of encroachment it may appear that the past is unable to respond to such encroachment on the reality of past memories. As indicated by the classic quote addressed to those ignore history however, the past can forcefully re-emerge with powerful lessons.
- **Encroachment by modernity:** This is the process whereby individuals experience become sensitive to the increasing pace of life and innovation, resulting from human activity, which they come to find overwhelming.
- **Engendering encroachment:** The following cases may be considered as a form of temporal encroachment. Here however action in the present engenders encroachment as a lesson "from" the future (or for it):
 - **Encroachment from flooding:** Construction of settlements in flood plains, ignoring the tendency of rivers to flood occasionally, results in situations in which river water encroaches on properties in ways that can prove extremely costly. Here encroachment on flood plains by buildings engenders encroachment by flooding.
 - **Encroachment from rising sea levels:** This is a more dramatic and permanent example of encroachment from flooding whose major effects are predicted to become evident over the coming decades. It is caused by failure to respond effectively to the challenge of global warming and rising carbon emissions. Here encroachment on air quality engenders encroachment by rising sea levels.
 - **Encroachment by disease resistant bacteria:** The widespread development and use of pharmaceutical drugs to control disease has created a situation in which bacteria are mutating and disease resistant bacteria are becoming a major challenge to hospitals. Here encroachment by progressive allopathic response to disease engenders encroachment by resistance to those treatments.
 - **Encroachment from population pressure:** This widely documented phenomenon is associated with the ever-increasing use of non-renewable resources. Here encroachment by increasing population (and reproductive rights) engenders encroachment by the demands on resources which there is a reasonable probability cannot be fulfilled and will therefore engender a violent and unreasonable response..

- **Encroachment of old age:** The process of ageing, and terminal illness, may be experienced as **encroaching shadows** on human dignity. Equally, while near the peak of their careers, people may note the encroachment of youth and change.

Structural encroachment

This can be seen as a more contextual process that is more difficult to characterize by reference to detail, but is evident primarily in its consequences. Typically it is associated with the maintenance, development and institutionalization of systems of privilege and the marginalization and further impoverishment of the underprivileged. Johan Galtung (of [TRANSCEND](#)) argues that only amateurs engage in physical violence, whereas professionals engage in "structural violence" through manipulating social conditions to their own advantage.

Following this line of argument, perhaps the most skilled even engage in "conceptual violence" (typically associated with stereotyping) -- or even "spiritual violence".

Conceptual violence: Gandhi went so far as to suggest that physical violence represents merely a reflection of a deeper layer of conceptual violence: "Our violence in word and deed is but a feeble echo of the surging violence of thought in us." The implications of conceptual violence for practice have been explored in the light of Michel Foucault's "joined up thinking" [[more](#)].

Such understandings of the powerful subtlety of conceptual violence are acknowledged and supported by modern techniques of interrogation -- namely that it is not physical violence that is most effective, but rather creating the the fearful anticipation of that violence. In a perverse parallel to the "grooming" practiced by paedophiles, interrogators deliberately create a context for their final acts through isolation, disorientation and environments of menace. As indicated by Vikram Dodd (*Torture by the Book*, 2004) with regard to the methods of interrogation used by the coalition forces in Iraq and elsewhere, this is euphemistically described in interrogation manuals as "setting the conditions" -- officially denied by the US government as constituting torture.

Dodd notes that one CIA interrogation manual (*Human Resource Exploitation Training Manual*, 1983), that seemingly guide practices in Iraq, indicates:

The purpose of all coercive techniques is to induce psychological regression in the subject by bringing a superior outside force to bear on his will to resist. Regression is basically a loss of autonomy.

Detention should be planned to enhance... feelings of being cut off from anything known and reassuring.

The threat of coercion usually weakens or destroys resistance more effectively than coercion itself

Pain that he feels he is inflicting on himself is more likely to sap resistance... After a while the subject is likely to exhaust his internal motivational strength.

These techniques, according to Dodd, build in part on an earlier CIA manual entitled *KUBARK Counterintelligence Interrogation* (1963) [[more](#) | [more](#) | [more](#)] which notably highlights the value of non-coercion:

The effectiveness of most of the non-coercive techniques depends upon their unsettling effect. The interrogation situation is in itself disturbing to most people encountering it for the first time. The aim is to enhance this effect, to disrupt radically familiar emotional and psychological associations ... When this aim is achieved, resistance is seriously impaired. There is an interval ... of suspended animation, a kind of psychological shock or paralysis. It is caused by a traumatic or sub-traumatic experience which explodes, as it were, the world that is familiar to the subject as well as his image of himself within that world. At this moment the source is far likelier to comply.

Spiritual violence: This is not a new phenomenon. It has taken an endless variety of forms and expressions throughout human history. From the condemnation and casting out of people who don't believe the prevailing religion to hanging witches and burning heretics, spiritual violence has been one of the most persistent and creative human activities ever manifested in social behavior [[more](#) | [more](#)]. Its restriction to particular issues, of concern to particular religions or groups, is itself a form of spiritual violence characteristic of structural encroachment.

Again this form of violence may be seen as epitomized in particular "non-violent" approaches to interrogation. In the case of Muslims in Iraq (or Guantanamo Bay), for example, this involves a creative range of techniques designed specifically to humiliate and degrade men holding Islamic beliefs (nakedness, sexual acts, obligation to don women's underwear, exposure to sodomy, use of dogs, etc) and notably supervised by women. Not only may these practices be deemed sacrilegious, their polluting effects may also be believed to endanger the person's salvation (especially if, as is typical of fundamentalists, women are conceived as sinister and satanic, the embodiment of sin and seduction). The spiritual impact of this "non-violence" derives in part from its being undertaken under the leadership (and with the knowledge) of Judeo-Christians deeply committed to their own faiths and promoting values they label as "freedom" and "human rights".

"Spiritual violence is most dangerous when it is most spiritual -- that is least emotional. Violence which acts in the depths of the will without any surface upheaval carries our whole being into captivity with no apparent struggle. Such is the violence of deliberate and unresisted sin which seems to be not violence but peace".

Thomas Merton



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