Chapter 4

CRIME IN SOUTH 24 PARGANAS DISTRICT: THE TEXTS AND CONTEXTS

This chapter begins with the Durkheimian position that crimes are those acts in society which seriously violate a society's conscience collective constituted of the fundamental norms of the organization of that society. But as acts violative of the conscience collective, crimes are also named and classified in terms of that conscience collective as objectivations of such acts. In these objectivations, crimes as alienated forms of such activities, are constructed into normative categories as embodiments of human subjection. The construction of these normative categories as objectivations of acts of crime take on a general character and provide for the content of the legal categories which name and classify crime and met out punishments on the basis of the seriousness of the violation of the fundamental norms of social organization.

The basic argument in this chapter is that as far as South 24 Parganas District is concerned, acts of crime cannot be defined as violations of the conscience collective, because there is not one conscience collective, which is sufficiently collective to give it a general character. In developing his theory of punishment, Durkheim takes note of the fact that crimes are not 'given' or 'natural' categories to which societies
from place to place and from time to time.\textsuperscript{3} Inspite of these variations, however, there are certain fundamental general norms in society which do not change over time and place. In South 24 Parganas district, one does not have fundamental general norms even at the centre of other norms which are variable. The fundamental general norms name and classify not only normative categories such as crime, but also other normative categories such as politics and police, with which acts of crime are often intertwined in society. The fundamental general norms located at the centre of the normative structure of society, bring about a kind of coherence within and between the different normative categories. The absence of fundamental general norms means that, to begin with, one is not able to identify acts in society in terms of these normative categories.

\textbf{Crime and Penal Categories}

Inspite of the difficulty of identifying acts in society in terms of normative categories of crime, the whole apparatus of what is called the criminal justice system of the state, commences its functioning through the application of legal categories, to the identification of certain acts in society as acts of crime. Section 211 of the Code of Criminal Procedure stipulates that every charge of offence has to be named under the law and that 'the law and section of the law against which the offence
is said to have been committed shall be mentioned in the charge. The consequence is that penal categories which are established at the general normative level, are accorded a privileged position vis-a-vis normative categories in society which have not acquired that general level. The application of legal categories to the identification of certain acts in society as acts of crime does not signify the operation of networks of power in society that is 'productive', to which people submit on the basis of their own free will, but it creates the networks of interaction of very different normative categories which are not consistent within and between themselves.

The absence of generality of such normative categories as crime, politics and even police in society, creates barriers to the establishment of the state as the 'secular priesthood', which would function through legal categories having an organic relation to the fundamental general norms of society. But it was exactly the creation of such a state which was perceived in the philosophical grounds on which the Indian penal laws were enacted.

The basic assumption of the legal philosophy on which Indian penal law is based, is that the normative categories in law have to accord with normative categories in society. In other words, law has to be able to explain acts in society. That is, a philosophy of law has also to be a philosophy of human acts in society. According to Bentham, external acts, which are relevant to
the study of law, are either 'simple' or 'complex'. 'Complex acts', Bentham explains, consist\(^6\) '... each of a multitude of simple acts, which, though numerous and heterogeneous, derive a kind of unity from the relation they bear to some common design or end'.\(^7\) Thus, simple acts in individual instances create 'classes of acts', in others words, categories of acts' which in term explain 'individual acts'.

When individual acts can be explained by 'classes of acts', a norm is created which insists that 'something ought to occur'.\(^8\) The basis on which an individual act is explained in terms of 'classes of acts' is the intention expressed by the individual act. In other words, individual acts in society are acts for the creation of norms in so far as they can explain individual acts in terms of legally explicable norms.

In explaining individual acts in terms of their intention, norms also depend for their creation on the basic norm. 'The basic norm is pressuposed as a valid norm'.\(^9\) The basic norm 'qualifies a certain event as the initial event in the creation of the various legal norms. It is the starting point of a norm-creating process'.\(^10\) It is the only norm-creating norm, the existence condition of which does not include the existence of another norm-creating norm,\(^11\) but one which provides for the criteria of identification of individual acts in society and the norms which explain these acts.
Post-Modernism: An Eclipse of Fundamental General Norms

A recent theoretical tradition which undermines the importance of global, 'totalising', 'basic' norms (which underwrite other norms), and emphasizes on the existence of norms which operate locally is broadly covered by what is generally known as post-modernism. Most post-modernists believe that in Western societies today, there is a 'crisis' of what some of them call the 'meta-narratives' or the 'master-narratives'. Fredric Jameson has forcefully argued that this 'crisis' denotes not really 'the disappearance of the great master-narratives, but their continuing but now unconscious effectivity as a way of "thinking about" and acting' \(^{12}\).

It seems that the 'unconscious effectivity' of 'master narratives' operates in the manner in which Michel Foucault’s concept of power operates, not as something accepted inspite of opposition (Max Weber), but as the most willing submission to something. Power operates here for the production of 'docile bodies' and acts on the 'soul' of the individual. \(^{13}\) Commenting on the 'productive' uses to which power was put in Foucault's analysis, Peter Miller observes, The lazy individual was to be transformed into one with a liking for work, forcing the individual back into a system of interests in which labour was more advantageous than idleness. Isolation was to be added to labour with the same ambition of correction. And the partitioning of
daily life according to a strict timetable was to bring with it its own obligations and prohibitions. Together these different processes were aimed to effect a transformation of the individual as a whole, of his body, his habits, his mind and his will. 14

It is argued that it is the 'basic norm', the 'master narratives', that which is presumed, taken for granted, the 'unconscious', which operates for the production of disciplined individuals in society, is all the more 'productive' when it is 'unconscious'. It is the 'unconscious' element of the 'basic norm', which in Foucault's analysis, makes possible the many forms of its operation, its 'strategies', to be observed in minute detail. 15 This is why Foucault, particularly after 1976, was able to combine in his analysis the apparently disparate dimensions of the 'technologies of the self' and 'governmentality'. 16 By the first is meant the techniques by which individuals effect on their own bodies, souls, thought and conduct, operations which 'transform themselves, modify themselves and attain a state of perfection and happiness'. 17 The second means the practices by which the state exercises a supervision over its citizens, their customs and their habits. It operates on the population as a whole, and works for the improvement of its condition, the increase of its wealth, its longevity and health, among others things.
A Paradox of the Indian Penal Law

The absence of fundamental general norms in South 24 Parganas district, which informs, both the law as the 'mentality' of the government and the 'self' of the people, has the consequence that the individual acts in society can not be identified and classified in terms of the normative categories of law. In Foucault's terms, there is not one 'self' in society whose 'technologies' of disciplining itself can be related to the manner in which the government supervises the operation of these 'technologies' on the 'self'. There are many 'selves' and many 'technologies' of disciplining them. But in India, the penal law is based on the self-assurance that it can identify and classify individual acts in society in terms of normative codes which conform to those on which the people decide on their own lives.

This creates a paradox for the Indian penal law. When it identifies an individual act in society or 'classes' of acts, which according to itself, violates the fundamental general norms of social organization, it designates that act as crime. But in the context of the normative disjunction between the penal law and acts in society, the act in society which is identified as criminal in law may not be criminal in terms of the relevant norms in society. The consequence is that an act which is identified as criminal may be widely practised in society. Now, the law which names such an act as criminal
may be seen as a kind of intervention from outside, and, therefore, something which needs to be manoeuvred into one's favour, or perhaps to be resisted as the last resort.

Apart from identifying certain acts in society as acts of crime, the law also classifies these acts into various categories constructed by itself. The idea is that as acts in society are related to each other by a common purpose, although they may appear to be quite disparate seen in terms of themselves, so the identification of acts of crime in law, though done in a separate manner, have to be related to each other, so that a hierarchy of legal categories can be constructed, which would be inter-related not only at a given level, but also across the different levels of the whole hierarchy. If 'simple' acts in society in relation to each other construct 'complex' acts, and inter-related 'complex' acts, construct acts which are even more 'complex', but which, nevertheless are reducible to 'simple' acts of which these are constructed, then in law also, it should be possible to make classifications elaborate enough to be able to explain acts in society down to almost every 'simple' act.

This is the basis for the wide-ranging classification of acts in society into legally explicable norms, whose purpose is to exactly locate the acts in society which violate specific norms. In this detailed scheme of classification of acts in society, which seeks
to locate every individual act in relation to a legally explicable norm which is violated, the law strives to be as much differentiated internally as are perhaps acts in society. But this internal differentiation of legal explanation of acts in society, is delimited by the common purpose to which these explanations are related. In other words, a detailed scheme of classification of legally explicable norms is conceivable only in the backdrop of certain fundamental general norms, which inform both the inter-relation of the legally explicable norms and the relation between these norms and criminal acts in society. These fundamental general norms, which Durkheim calls the \textit{Conscience collective} of a society, also inform other domains like politics and police, which are brought into a relation with the normative categories of law and society. The absence of fundamental general norms in South 24 Parganas district creates not only internal divisions between the normative categories into which classifications are made in law, but also ruptures and incongruities between categories like politics and police and the normative structure of law to which these are related by their common purpose. One of the greatest strengths of the 'post-modern' methodology is that while all these theories do not recognise the 'unconscious effectivity' of fundamental general norms in society, which operate in their study of the local strategies of power, it has been able to develop certain
techniques for observation of the forms in which power operates as a local strategy. Moreover, some writers like Michel Foucault, who considerably developed the study of the forms in which power operates locally, has at least partially been able to transgress the larger parameters of classical reason within which he arguably conceived of the local forms of the operation of power. This estimate of Foucault is in accord with the position of a writer of Jacques Derrida’s fame in the same article through which he considerably eroded Foucault’s hopes of providing for an world-view perhaps as original and as stimulating as Marxism.

The manner in which it may be possible to employ the ‘post-modern’ methodology of the operation of the ‘micro-physics of power’ to the study of crime, politics and police in the present research problem, is by bringing the transgression of the larger rationality to the centre of the interpretative strategy. This will make it possible to observe the disjunctions, ruptures, incongruities and multiplicity of meanings contained in the normative categories of crime, politics and police by looking into the contexts in which the meaning of these normative categories slip away from their normative constructions in the law of the state. In other words, such an approach will open up the possibility for the study of the internal divisions of these normative categories and the difficulties involved in identification of the boundaries between these categories.
It will appear that acts in society which are normally designated as criminal in law are difficult to distinguish from acts which are normally designated as political, and acts in society which are normally thought to belong to politics may be performed by policemen. But the important point is that these internal divisions within and between normative categories are not uniform in all sectors of the local society. In fact, it may be possible to observe the extent of slippage from the normative categories of penal law in different sectors of society. It will appear that the extent of slippage from the normative categories of law in a certain sector of society will depend on the extent to which that sector has been made 'literate' in terms of the normative categories of law.

The slippages from the normative categories of law can be observed because the normative categories on which penal law is constructed in India, are based on the self-assurance that they are able to explain acts in society. It may thus be possible to locate the occasions, the sites where penal law fails to explain certain acts in society as acts of crime. The procedure followed in law to explain certain acts in society as acts of crime is by employing normative categories in law which are inter-related and which together can explain a 'complex social act' as an act of crime. The failure of law, the slippages from its normative categories, can be observed not only when a set of normative categories in law which
seek to explain a complex social act, fails to do that together, but also when in trying hard to explain a 'complex social act' in terms of itself, the inter-related normative categories in law, show up signs of internal inconsistency. In other words, in trying to remain 'true' to the act in society which penal law seek to explain, the normative categories employed by penal law fail to remain truthful among themselves.

**Police Records as Texts of Crime**

It is possible to read official records of crime as interpretative texts of criminal acts in society in terms of the normative categories of penal law. The most important source of data on this interpretation of acts in society is what are known as the First Information Reports. In these Reports, information as to the place, date and time of the occurrence of incidents are available along with an account of the circumstances in which these the incident took place. Interestingly, while the account of the incident is given by the complainant, who may be a policeman or anybody who witnessed the incident, it is the officer on duty at the police station who, on the basis of the account of the incident, mentions the law(s) and its section(s), which were violated in the incident in the specific form in which the First Information Report requires it. Since, however, the law(s) and its section(s) at this stage are assigned on the basis of the first available information of the incident, these may be
changed when a police officer who enquires into the incident, frames a Change-Sheet, when he is convinced that an offence was committed in the incident whether it conforms partly or fully to the account of the incident given in the First Information Report.

Taking both the First Information Report and the Charge-Sheet into account, between which there are usually very few differences as to the law(s)/section(s) applied, a number of law(s)/section(s) are assigned to the account of an incident which is designated as crime. The assumptions on which these law(s)/section(s) are assigned is that these together give an explanation of the incident in terms of the normative categories of law and that these law(s)/section(s) are inter-related in terms of their normative categories. It is the interrelation of the law(s)/section(s) in terms of the normative categories on which these are based, the manner in which these normative categories are interwoven, which assures law of its ability to explain 'complex social acts', or 'classes of acts', because 'complex social acts' or 'classes of acts' are thought to be based on the inter-relatedness of 'simple social acts' or 'individual social acts'.

The Indian Penal Code which is the major law dealing with serious offences. It gives a detail of those acts in society, which, according to itself, constitute serious offences against the sacred norms of society, classifies these acts into certain penal categories which
are interrelated, and mentions the punishment which would be in just measure of the crimes committed. In giving names to certain acts in society as acts of crime, the penal categories in the Code seek to explain 'simple acts', such as theft. Now, theft as an act of crime is either a 'simple act'/an 'individual act' or a 'complex act'/'classes of acts', depending on the point of view taken for defining it. But whether it is a 'simple act'/an 'individual act' or a 'complex act'/'classes of acts', a theft is an act of theft in the 'simple' or 'complex' senses, when certain acts are inter-related on the basis of certain norms. It is the normative basis of acts in society which serves for the naming of acts and their classification. The normative basis establishes the interrelation of acts both within the 'classes of acts' and between the 'classes of acts'.

The inter-relation of acts of crime in law, which may be studied across different sectors of a society and/or over a period of time, apparently gives a pattern of crime in a society. In anticipating a pattern of crime in South 24 Parganas district, it would be interesting to look into the work of Julius R. Ruff, who studied crime, justice and public order in Libourne and Bazas in France, for the period between 1696 and 1789, for an insight into comparative history. She observes on the basis of statistical data, that "property offences constituted only 24.5 per cent of the caseload of the courts", whereas 'today statistics of reported crimes ... indicate that
crimes against property constitute the vast majority of the reported offences." As distinguished from 'property offences', the 'crimes of violence', which is the other major type of offence, show a completely different pattern. Ruff observes, again on the basis of statistical data, that "acts of violence comprised as many as one half of the crimes heard by the courts, whereas modern reported violence is largely attributable to members of society's disadvantaged groups, or more recently, to ideologies seeking to advance a political cause through terrorism". As distinguished from Ruff's distinction between the nature of crime in the ancient regime (pre-French Revolution France) and in recent decades of the twentieth century, Tobias has looked into the nature of crime in the period of transition from the ancient regime to the modern period in his study of crime in 19th century Britain. His study is particularly noteworthy because he says that there is a 'parallel' between England in the first 60 years of the nineteenth century, and the 'developing' countries of the twentieth century. He thinks that in nineteenth century England and in twentieth century 'developing' countries, there are basically two types of changes in society which affect the nature of crime. The one, he says, is that the 'people of nineteenth century England, like the people of many parts of Africa and Asia today, were not only building physical assets for their descendants. They were slowly and
painfully and at no small price, developing a new way of life. They were learning to live in an urban, industrialised society'. But this creates 'cultural instability, 'the weakening of primary social controls' and the exposure to 'conflicting social standards'. On the basis of these two observations, Tobias arrives at the conclusion that societies in transition are faced with an increase in the rates of crime.\textsuperscript{23} This is the approach to the study of crime which most writers on crime in India seem to have adopted.\textsuperscript{24} On the basis of this approach, Kalyani Saha has studied the inter-relation between police and development in West Bengal between 1951-1971. She also reached the conclusion that development led to an increase in the rate of crime in West Bengal.\textsuperscript{25}

\textbf{Classification of Offences in Law}

Ruff's classification of offences into 'property offences' and 'crimes of violence' may be initially accepted as valid for Kultali, Kakdwip and Baruipur police station areas of South 24 Parganas District, for which data were collected for the period from 1988 to 1991 (upto June). In this, it may be possible to think of 'property offences' and 'crimes of violence' as the 'classes' of social acts, which are identified and classified in law as the two most important crimes in the rural areas. Within these broad 'classes' of crime, there are, however, smaller classes. In the class of 'property offences', in the context of the three police station areas, one may
include offences such as theft, criminal trespass, dacoity etc. On the other hand, offences against public tranquility, hurt, criminal intimidation, mischief, wrongful confinement, criminal assault offences against life etc. may be included in the class of 'crimes of violence'.

In the class of 'property offences', the enumeration of offences in the records at Kultali, Kakdwip and Baruipur police stations, would seem to show an interesting pattern. In the case of theft, it would appear that crimes of theft in 1988 was the lowest in Kultali and highest in Baruipur, with Kakdwip remaining in between the two. In 1989, as per the records, theft actually decreased in number as compared with that in the previous year in both Kultali and Kakdwip, but slightly increased in Baruipur. In both 1990 and 1991 (upto June), incidents of theft continued to decline in all the three police station areas. Two main trends may be noted from the data (Table I) worked out from the records at the three police stations. One, Kultali has the lowest number of thefts and Baruipur has the highest. Two, incidents of theft has a tendency to decrease in number over the years. In trying to explain these trends, it may also be noted that Kultali is the most remote and the most backward area, Kakwip is not as remote and backward as Kultali is, and that Baruipur is the nearest from Calcutta, the most developed economically and also the most 'literate' of the
three police station areas. This appears to confirm Ruff's observation that modernity contributes to an increase in 'property offences' and the decline in theft in Baruipur may be attributed to the unwillingness of the police to accept FIRs, as indeed was the opinion of the Director General of Police in West Bengal. The assumption on which such a view would be based, is that although Kultali is the most backward police station area, once it is economically developed and attains the level of 'literacy' in Baruipur, it is likely to have an increased in the number of thefts.

Another 'property offence' is 'criminal trespass'. In this case also, it is possible to observe a similar pattern. Kultali has the lowest number of criminal trespasses, Kakdwip has more than that, and Baruipur has the highest number of criminal trespasses, although in the case of Baruipur, the number of 'criminal trespasses' actually decreased from 1988 to 1989. It is quite possible to infer from this that since criminal trespass is only the first logical step towards the commitment of other crimes against property like theft, it must be geared to improper material gain. Since the transition to modernity also involves an increase in crimes against property, which is geared to improper material gain, the data on criminal trespass would confirm the transition from Kultali as the 'traditional' society to Baruipur as the 'modern'.

The problem with robbery and dacoity as a class
of offences is that it is not very clear if these offences should be included in the 'property offences' or the 'crimes of violence'. As far as the Indian Penal Code is concerned, robbery is defined as both: when violence is associated with an act of theft or extortion, that is, a 'property offences', robbery is committed. When five or more persons participate in the violence of robbery whose intention is 'property offences', a dacoity is committed. Ruff's classification of crimes between the broad categories of 'property offences' and 'crimes of violence', therefore, does not hold good in respect of robbery and dacoity. In trying to figure out a pattern of robbery and dacoity in the three police station areas, it would appear that it is not uniform. In 1988 and 1989, incidents of robbery and dacoity were lowest in Kultali and highest in Baruipur, with Kakdwip in the middle. But in 1990, although Baruipur saw the highest number of robberies and dacoities, this was followed not by Kakdwip, but by Kultali. In 1991 (upto June), Kakdwip did not have any robbery and dacoity, while the highest number of robberies and dacoities were committed not in Baruipur, but in Kultali.

In the class of 'crimes of violence' with respect to which the assumption is that these have a tendency to decrease in the transition to modernity, a clear pattern is even more difficult to work out. In the area of 'hurt', which has been classified as a crime in the
Indian Penal Code, the data indicate that in 1988, Kultali had the lowest number of 'hurt' cases, Kakdwip had more than Kultali, and Baruipur had the highest number of hurt cases. Between 1989 and 1991 (upto June), however, it was Kakdwip which had the lowest number of 'hurt' cases, Baruipur had the highest number of such cases, while Kultali remained in the middle.

In the area of what the Indian Penal Code calls 'criminal intimidation, insult and annoyance', the data has it that Kultali has the least of these and Baruipur the most in 1988. But in 1989, the pattern is not as clear because Kakdwip has the most of these cases and Baruipur has only marginally more than in Kultali. In 1990 and 1991 (upto June) again Kultali comes to the forefront of such cases, leaving Baruipur immediately behind it and Kakdwip further behind it.

The incidence of what in the Indian Penal Code is called 'criminal force and assault' has a pattern of occurrence which does not lend itself to an analysis on the basis of the theoretical presuppositions of tradition-modernity continuum. This is because Kultali which on the basis of such presuppositions is expected to have the most of these offences has, on the basis of the available data more than that of Kakdwip, but less than that of Baruipur in the whole of the period, for which enumeration was made.

There are certain other 'crimes of violence' with
a steady frequency of occurrence, which have a collective character, that is, many people participate in these crimes. One such crime is called 'acts done by several persons in furtherance of 'common intention' in the Indian Penal Code. In this area also, it is noteworthy that while Baruipur has the highest number of these cases, between 1988 and 1990, it is Kultali which follows Baruipur, rather than Kakdwip. In 1991 (upto June), however, Baruipur has the highest number of such cases and Kultali has the lowest. But then it gives a pattern which is the exact opposite of what is expected in the tradition - modernity continuum.

The most frequent and socially the most significant of the 'crimes of violence' having a collective character, are what in the Indian Penal Code are called 'offences against public tranquility.' Sifting out the data on these offences, it seems that one reason for the seriousness attached to these offences is that the sections dealing with these offences are applied when the section on 'common intention' is felt to be inadequate in explaining the seriousness of the crime. This is why it is only on the rare occasion when the sections dealing with 'common intention' and 'offences against public tranquility' are applied together to explain a criminal act in the First Information Report. Normally, 'crimes of violence' of a collective character which are felt to be relatively mild are assigned the
section on 'common intention' and when the seriousness of a criminal act calls for a more stern view, the sections on 'offences against public tranquility' are applied. Another point to be noted is that although there is no mention in the Indian Penal Code that the 'offences against public tranquility' have to be of a collective character, these sections are applied to the interpretation of a criminal act only when these offences are of a collective character. It seems thus that the seriousness and the larger social significance of these offences are factors that go into the use of the sections dealing with these offences. But considering the seriousness attached to 'offences against public tranquility', and the fact that these offences are quite frequent in the three police station areas as well as the South 24 Parganas District as a whole, it is significant that data on these offences in the three police station areas do not provide for a pattern which is compatible with the tradition - modernity continuum. While Baruipur had the highest number of these offences in 1988, 1989 and 1991 (upto June), it was Kultali which followed on the heels of Baruipur in these years rather than Kakdwip. In 1990, the number of these offences in Kultali in fact surpassed that in Baruipur, and Kakdwip remained a poor third.

The most violent of the 'crimes of violence' are 'offences affecting life'. In 1988 and 1989, Baruipur had the highest number of these cases, followed not by
Kakdwip, but by Kultali. In 1990 and 1991 (upto June), however, the pattern was more uniform in the sense that Baruipur had the highest number of such cases, while Kultali had the lowest, with Kakdwip remaining somewhere in the middle. A possible inference from the data for 1990 and 1991 (upto June), is that an outcome of modernisation is more violence.

**Crimes in Combination: Loopholes in the Structure**

In trying to explain the absence of a neat pattern, either in conformity with the above-mentioned formulations, or directly against them, a further classification of offences in terms of the legal categories which have sought to explain them, may be in order. In this instance, however, offences are not classified merely on the basis of the law(s)/section(s) which have been applied individually. The emphasis here is on how the individual law(s)/section(s) are related to each other to constitute combinations of law(s)/section(s), which seek to explain 'complex acts' of crime in society. The understanding in this is that since in law a 'complex act', of crime is often interpreted not in terms of individual sections, but on the basis of a combination of law(s)/section(s), it is this combination which is important in the identification and classification of certain acts in society as acts of crime. This brings to the fore the inter-relatedness of
law(s)/section(s) in terms of the normative codes on which these are based, which seek to interpret acts in society in terms of the normative codes on which these acts are based, and designates those acts which violate the fundamental general norms as acts of crime. The important point is that the inter-relatedness of law(s)/section(s) have to be meaningful in terms of the normative codes on which these are based - to both the interpretation of acts in society and to law itself.

The data gives interesting details when the interrelations between the law(s)/section(s) applied to the explication of acts in society are explored. Beginning with cases of theft, all those cases were enumerated in which one or more of the sections of the Indian Penal Code dealing with theft, were applied. Then it was examined as to which of the other sections of the Indian Penal Code and laws other than the Penal code were applied in combination with those on theft and to what extent, the consideration being to see how theft is related to other law(s)/section(s) with respect to the supposed differences between different police station areas and the span of four years for which data were collected. The purpose was to examine how the meaningfulness of sections on theft, if there was any, applied in combination with other law(s)/section(s), changes with time and the local society whose acts these combination sought to explain.
What is particularly striking about the use of section(s) on theft in combination with other law(s)/section(s) is the range of these combinations. The range is wide enough to indicate that acts in society which are diagnosed as theft, are not simple acts of theft because there are other acts in combination with acts of theft which others law(s)/section(s) used in combination with those on theft seek to explain. It can be noticed that theft is not merely theft in most cases. Indeed, taking all the three police station areas and the four years, for which data were collected, sections on theft were applied in combination with as wide a range of law(s)/section(s) as the following: offences against public tranquility, hurt, criminal intimidation, mischief, attempts to commit offences, common intention, criminal trespass, criminal force, wrongful confinement, murder, offences affecting life, Arms Act violations, Indian Explosives Act violations, false evidence, receiving stolen property, contempt of lawful authority, kidnapping, abetment, cheating, offences affecting the public health, robbery and dacoity, criminal breach of trust, criminal conspiracy, sexual offences, false documents, and criminal misappropriation of property.

In the whole range of these combinations, it is interesting to see how sections on different offences are combined with these on theft. Especially important in these combinations is the proximity/distance of these sections with these on theft. It will appear from the
data that some of the law(s)/section(s) have a closer proximity to sections on theft rather than many others. In taking account of the proximity of certain sections to those on theft, it seems that in Kultali 'offences against public tranquility' and 'hurt' were more important than others in all the four years for which data were collected. In Kakdwip, although sections on offences against public tranquility were used quite often with those on theft, criminal trespass assumed a greater importance because sections on it were used more frequently with those on theft in the period between 1988 and 1991. In Baruipur, sections on criminal trespass are more closely related to theft than in Kakdwip although sections on offences against public tranquility and hurt remained important in their association with sections on theft all through the years.

In measuring the distance of certain sections from those on theft, the declining frequency with which these sections are applied along with those on theft may be observed. In Kultali, it appears, at the lowest level of the sections, which are used in combination with those on theft are attempts to commit crimes, abetment, criminal force, murder, Arms Act violations, wrongful restraint and wrongful confinement, and contempt of lawful authority in the years between 1988 and 1991. In Kakdwip, although attempt to commit crimes and offences affecting life remain at the lowest levels, criminal force is present.
among sections which are the least associated with theft, and others sections such as those on receiving stolen property and cheating, criminal breach of trust, false document, criminal misappropriation of property and even kidnapping make their appearances. In Baruipur, apart from criminal breach of trust, kidnapping, offences affecting life, cheating, criminal misappropriation of property, receiving stolen property, abetment and attempts, other sections which are applied along with theft are, rather strangely, offences against public health and even robbery and dacoity.

Several important points emerge from the combination of sections on theft with other sections. One thing that is immediately apparent is that these associations are wide-ranging. The wide range of these combinations, for the purpose of a legal explanation, does not pose any problem, as long as and only as long as these combinations are meaningful in the sense that all these sections seek to explain specific varieties of theft. That is to say, theft is interpreted as the primary intention in acts with which other intentions are also combined which clarify and exactly locate the intention of theft as the primary intention. Within the range of acts in society, which may be very large, it is the primary intention of theft which gives unity to the whole range and makes it consistent and meaningful.\textsuperscript{39} This means that there has to be a focus, a centre, in the whole structure
of the meaning of theft, which interprets the whole structure, delimits the structure and excludes from this structure elements which are not consistent with its interpretation. Thus the wide range of sections which are used in combination with those on theft, have to be consistent with theft as the focus, the centre of intentions which these sections sought to interpret. Sections which can not be interpreted in terms of theft as the centre of intentions expressed in the acts would, therefore, remain outside the range of a plausible interpretation. When the sections used in combination with those on theft include offences against public tranquility at one end and sexual offences and robbery and dacoity at the other end, theft as the primary intention behind all the acts which these associated sections seek to explain, becomes difficult to establish. This does not mean that sections on theft in association with the above-listed sections do not carry any meaning at all. It does point to something when sections on theft are often used in combination with those on offences against public tranquility in Kultali and less often in Kakdwip and Baruipur, and when in Baruipur, sections on theft are frequently used in combination with those on criminal trespass and less so in Kakdwip and Kultali. In fact, it may reveal that the intentions in social actions which sections on theft may seek to interpret in terms of itself may vary considerably between places, that is local
societies, whose acts are sought to be explained in terms of law.

The list of law(s)/section(s) which are applied in combination with those on criminal trespass is somewhat smaller than in the case of theft, but it is, nevertheless, fairly long. In trying to locate specific variations, it may be noted that in Kultali, except 1988, when sections on criminal trespass were most closely related to those on theft, in the other years for which data were collected (e.g. 1989-1991), sections on criminal trespass were used most frequently in combination with offences against public tranquility. In Kakdwip, sections on offences against public tranquility were not used in combination with those on criminal trespass as often as in Kultali, but both in Kultali as well as Baruipur, sections on offences against public tranquility were used in combination with those on criminal trespass quite frequently. In Kakdwip and Baruipur, in place of sections on offences against public tranquility, the combinations which were the most conspicuous were those between sections on criminal trespass and those on theft. But in the latter two police stations, the association of sections on mischief and hurt with those on criminal trespass is also quite frequent.

Sections on robbery and dacoity, which, if Ruff's classification between 'property offences' and 'crimes of violence' is applied, falls somewhere between
the two and has elements of both. The range of its combination with other law(s)/section(s) is rather narrow. Although the range of other law(s)/section(s) applied in association with robbery and dacoity includes sections on many other offences, it is difficult to isolate dominant combinations between any or some of them and robbery and dacoity, because these associations are more or less evenly spread out and the occasions for these combinations are no more than one or two. But unlike the pattern of combination of sections like theft and criminal trespass, with other sections, the combination of sections on robbery and dacoity with other sections, are more consistent, in that it is possible to explain acts in society in terms of these sections whose focus is the explanation of acts in society which in law are called robbery and dacoity. It is another matter whether the sections on robbery and dacoity in combination with other sections interpret acts in society in terms of the intentions of those acts, or in terms of the intentions which these sections seek to have, but internally, that is, among these sections, there is a degree of consistency, and it derives from the interpretative centrality attributed to sections on robbery and dacoity.

Sections on mischief, which also may be taken to belong to the borderline between 'property offences' and 'crimes of violence', however, has a rather wide range of associations with other law(s)/section(s). In Kultali, it is interesting that those sections with which sections on
mischief are in combination on the greatest number of occasions are once again sections on offences against public tranquility. The other sections which follow those on offences against public tranquility, are on hurt, criminal trespass, criminal intimidation and criminal trespass. In Kakdwip, in spite of some variations, sections on offences against public tranquility remained among the three most frequent types of combinations between sections on mischief and other sections. In Baruipur, except for the interlude in 1989, when sections on theft were the most prominent in their association with mischief, between 1988 and 1991, sections on offences against public tranquility continued to have the most frequent combination with those on mischief. What is particularly noticeable in the data on the association of sections on mischief with other sections is that although there is a certain consistency in the relation between sections on mischief and offences against public tranquility at the upper levels, at the bottom there are in fact a large number of sections in association with those on mischief with broadly similar frequency, which makes it difficult to determine, on the basis of the data, which of the combinations are more important. But once again, the centrality of mischief as the explanatory category, seems to be lost in the whole range of its combinations with other law(s)/section(s).
Of the 'crimes of violence', hurt\textsuperscript{43} is clearly one, but it will be seen that these 'crimes of violence' as these are called, are sometimes related to other crimes, which, according to Ruff, would be called 'property offences', rather than 'crimes of violence'. In fact, as far as Kultali, Kakdwip and Baruipur police station areas are concerned, it appears that a clear classification between what Ruff calls 'property offences' and 'crimes of violence' cannot be made, because in most cases, even when, say, a 'property offence' has been isolated for consideration, it is entangled with so many other 'crimes of violence' as well as 'property offences' that the isolation itself loses all meaning, and it becomes difficult to explain the grounds for such isolation.

At the beginning of exploration of specific combinations of law(s)/section(s) with hurt, it may be pointed out that section(s) on motor accident constitute an important part of sections which are used in combination with those on hurt in Kakdwip and Baruipur police stations. Except for the fact that it shows the volume of road traffic in these areas, but not in Kultali, where there is no report on motor accident in all of the four years for which data were collected, motor accidents does not appear to have any bearing on the pattern of crime in society. In view of this, sections on motor accident have not been considered for their closeness to sections on hurt. Leaving aside sections on motor
accident, it may be observed that in Kultali, sections on offences against public tranquility, which were important in their association with sections already considered remained important being most frequently in combination with those on hurt between 1988 and 1991. But sections on other offences such as criminal intimidation, common intention, criminal trespass and theft were also in close allocation with these on hurt. Interestingly, in Kakdwip also, sections on offences against public tranquility were most often used in combination with those on hurt during the same period. The sections on other offences which were used in combination with those on hurt also did not change much in Kakdwip, although there was some variation as to the extent to which 'property offences' were important in Kakdwip. Even in Baruipur, the importance of sections on offences against public tranquility remained unabated in that these sections were most frequently used in combination with those on hurt, although the other sections used in combination with those on hurt changed to wrongful restraint and wrongful confinement, common intention, criminal trespass and theft. At the lowest levels of the association of sections on hurt with other sections, it is interesting to see sections on a weird variety of offences, but it is to be noted that these combinations are much less heterogeneous in Kultali, slightly more heterogeneous in Kakdwip and the most heterogeneous in Baruipur. With regard to sections
on 'criminal intimidation, insult and annoyance' also, the distinction between 'property offences' and 'crimes of violence' cannot be maintained, but it is noteworthy that, as in the case of hurt, it is possible to observe the range of its association with other sections dealing with both 'property offences' and 'crimes of violence', and in these associations, it is also possible to notice a regularity. The range of association of sections on 'criminal intimidation, insult and annoyance' is quite wide. What is noticeable is that inspite of this long range of sections with which sections on criminal intimidation, insult and annoyance are used in combination, sections on offences against public tranquility have been able to retain their affinity with those on criminal intimidation, together with some other sections like those on hurt, criminal intimidation, mischief, criminal trespass and theft. It may be remembered that it was more or less the same set of sections which were associated with those on hurt. As far as the specific nature of combination between sections on 'criminal intimidation, insult and injury' and those on other sections in Kultali, Kakdwip and Baruipur police station areas are concerned, it seems that Baruipur has the most wide-ranging combinations, whereas Kakdwip and Kultali have much less wide-ranging combinations. More specifically, at the lowest level of combinations, while in Kultali sections on Arms Act violations seemed to offer themselves as almost unique to Kultali, in Kakdwip
sections on offences affecting public health and false documents, similarly seemed to be unique to Kakdwip, in Baruipur, whereas, sections on kidnapping, cheating and false evidence appeared to have more frequent combinations with these on criminal intimidation, insult and annoyance.

Sections on 'criminal force and assault', seems to be somewhat less in use than other sections on 'crimes of violence'. The other sections with which sections on 'criminal force and assault' and used are also similarly not as wide-ranging as those used in combination with other sections on 'crimes of violence'. What is characteristic of these sections is that although sections on public tranquility constitutes the most dominant combinations with these sections, in some of the years, though less so in Baruipur than in Kultali, the significant aspect of it is that sections on hurt and criminal intimidation, which are almost as important as those on offences against public tranquility, came to the forefront of combinations with sections on 'criminal force and assault'. The propensity for a regularity of combination of certain sections with those on criminal force and assault seems to be once again indicated. What is, however, equally noteworthy, is that the combination of sections of criminal force and assault with sections on other offences are much more wide-ranging in all the three police station areas in 1989 and 1990, but less so in 1988.
and 1991, although in Kakdwip in 1990, these combinations were less wide-ranging than in other police station areas.

Coming to sections which deal with crimes of a more collective character, whether this is mentioned in the section itself or not, it may be worthwhile to look for a variation in the pattern. One section defines 'acts done by several persons in furtherance of common intention' as one such offence. What seems to be immediately striking is that sections on 'common intention' are somewhat less wide-ranging in Kultali than in Baruipur although this differentiation is not as neat here as in the case of some other combinations. Another peculiarity of the combination of sections on 'common intentions' with other sections is that sections on offences against public tranquility are much less important in these combinations than in the combinations which have been observed above. In the place of sections on offences against public tranquility, the sections which have assumed greater significance in these combinations are mostly on hurt, and partially theft. But interestingly sections on hurt acquired the greatest importance in Baruipur, but this was followed not by Kakdwip, but by Kultali. As far as sections on theft are concerned, Kultali and Kakdwip seemed to be more or less at the same level, with Kultali having more of sections on theft in combination with those on 'common intention' in 1988, and Kakdwip having more of these in 1991, while Baruipur had the largest number of sections on theft in
combination with these on 'common intention' for the whole of the period under consideration. Taking less numerous sections, with which the section on 'common intentions' has been combined, into account, it appears that in Kultali these sections broadly deal with what is called 'crimes of violence', in Kakdwip there are other sections which are not 'crimes of violence' properly so called such as false evidence, whereas in Baruipur there are still other sections in combination with that on 'common intention', which deal with offences as varied as criminal breach of trust, criminal conspiracy, cheating, robbery and dacoity and even sexual offences.

Sections on 'offences against public tranquility' which constitute numerous combinations with many other sections whether in the area of 'property offences' or 'crimes of violence', seem to be the most significant in combination with other sections in Kultali and Baruipur, rather than in Kakdwip, although in Kakdwip also, these sections make among the most numerous combinations with other sections. What is particularly noticeable about these sections is the regularity with which these are used in combination with other sections and its reach - the fact that it is combined with perhaps the greatest variety of sections. In Kultali, sections on other offences with which sections on offences against public tranquility are combined most frequently are on hurt in the period under consideration. Following those
on hurt, the other sections with which surprisingly sections on offences against public tranquility are associated are those on theft and criminal trespass. In Kakdwip sections on theft rather than hurt are in most frequent combination with those on offences against public tranquility in 1988 and 1991, these sections slightly trail behind those on hurt. Apart from sections on theft and hurt, sections on two other offences which are significant particularly in Kakdwip and Baruipur are those on criminal intimidation and mischief. In Baruipur sections on hurt assume an even greater importance than in Kultali and Kakdwip. But sections on theft and criminal trespass remain closely behind those on hurt in their association with those on offences against public tranquility. Lower down the scale of frequency of combination of sections on offences against public tranquility with other sections, it seems once again that these combinations are much more varied in Baruipur and Kakdwip than in Kultali. In Kultali, sections of the Arms Act are more frequently combined with these on offences against public tranquility than in Kakdwip and Baruipur but sections on cheating, offences affecting public health, criminal breach of trust, criminal conspiracy and sexual offences are combined with those on offences against public tranquility in Kakdwip and Baruipur, whereas Kultali draws a blank on these sections.
Sections on 'offences affecting life'\textsuperscript{48} appear to be very seriously viewed by the District Administration, because these are part of the cases which fall under what are called Special Report cases. Moreover, these are sections on offences which invite the passions of people more easily than sections on other offences, because the offences which these sections cover include murder, culpable homicide, causing deaths by negligence, dowry-death, abetment of suicide, etc. In considering the details of the sections with which these sections are associated, it appears from the data that sections on offences against public tranquility and hurt are the two offences with which these sections are frequently associated almost irrespective of the police station area under consideration. Although sections on theft also appear quite often, it does not appear that there is a regularity in their combination with offences affecting life because in 1988 these sections drew a blank in Baruipur, in 1989 in Kakdwip and in 1990 in Kultali. The one distinction which seems to be clear enough is that whereas in Kultali these sections are more frequently combined with 'crimes of violence' like 'robbery and dacoity' and Arms Act violations, in Baruipur, these sections are related to other offences like sexual offences, criminal conspiracy, etc.

The interpretation of social acts in terms of categories in law has several consequences. The one attribute of these interpretations is that most acts in
society cannot be interpreted in terms of a single legal section. In fact, the data shows that single sections which define criminal acts in society are few and far between. The more common form of interpretation of acts in society in terms of legal sections is a combination of law(s)/section(s) which together seek to interpret certain social acts as acts of crime. There is no problem with such combinations attempting to interpret social acts as long as they satisfy two conditions. One, the legal section that make up these combinations have to be meaningful amongst themselves, that is, there has to be at least a minimum consistency amongst these sections. This means that when for example, a section on theft is to be combined with another on criminal trespass, it has to be based on the assumption that criminal trespass as an act in society is only the logically first step towards theft as another act in society or vice versa, so that these two acts are consistent with each other. As the interpretation of the data shows above, many such sections used in combination with each other are not consistent with each other. The most important reason for such inconsistency is that these combinations are unable to locate the primary intention going into an act in society. When, for example, sections on criminal trespass and theft are used in combination, it is clear that theft is the primary intention behind the act whereas criminal trespass and theft are used in combination, it is clear that theft is the primary
intention behind the act whereas criminal trespass is in incidental association with it. But when sections on an offence like kidnapping or rape is combined with those on criminal trespass and theft, the primary intention behind the 'complex act' which includes for its interpretation sections on all these acts, becomes difficult to establish. As far as the three police station areas are concerned, it appears from the data that in Kultali the different sections of law used in combination with each other to interpret acts in society are relatively more consistent with each other, than in Kakdwip. In Baruipur, these combinations are the most heterogenous in the sense that the primacy of an intention which goes into an act, is the most difficult to establish here on the basis of the legal categories that are used, because it is difficult to identify the primary legal category, around which the other legal categories are woven, which gives meaning to the other legal categories and to the combination as a whole.

Beside, it seems that in Kultali, where the consistency amongst the sections used in combination is the most, the combinations take on the character of a circle. As in a circle the units are joined to each other in such a manner that the unit with which it began is also tied to that with which it ends, in Kultali, the more usual phenomenon is that when sections on offences against public tranquility are used, criminal intimidation,
mischief, hurt, wrongful restraint and wrongful confinement, criminal force and assault, criminal trespass and theft are also used in such a combination that while there will be some sort of a homogeneity among the sections, these sections would seem to explain each other rather than acts in society. Considered on the basis of these legal categories themselves, it will appear as if the sections associated with 'crimes of violence' are all concerned with the primary intention of theft, and the intention of theft would seem to give a kind of coherence between the different sections. But a study of the account of the incident in the First Information Report and further information from other sources may reveal that although theft is depicted as the primary intention behind the whole incident, it may be involved with only a small part of the incident, or may be no more than incidental to the incident. Once there is a failure to establish theft, or sections on any offence in the combination, as the primary intention behind the whole 'complex act' is sought to be interpreted only through legal categories, the internal consistency of the law (s)/section (s) which make up the combination, ensures that the combination is largely homogeneous. In Kakdwip and even more in Baruipur, there would be ruptures in the circular nature of combinations, even when the primary intention behind an act is sought to be interpreted strictly within the limits of legal categories. In the example cited above, where sections on theft and criminal conspiracy are combined
with other sections on the 'crimes of violence', if another section like rape or kidnapping a girl for marriage is entered, it then proves to be difficult to establish if violence, theft, kidnapping a girl or rape is the primary intention. In consequence, the circular nature of the combination in which each law/section interprets another, and the combination interprets only itself, somewhat breaks down, and the circle no longer remains complete in itself.

**Different Contexts of Crimes**

In one sense, once an act in society is identified in law as an act of crime and assigned a name, that act in society is put in context, because that law from then onwards acquires the exclusive power of interpretation of the act. For example, when an act in society is identified as an act of theft, the task then remains only of examining the exact nature of theft committed in the act, but not as anything besides theft. The punishment to be meted out for this act would depend on the exact nature of the theft committed in the act, but not on the act itself. The purpose in the construction of contexts in law is to differentiate the context in as great a detail as possible, so that these are able to identify and be based on the intentions of the acts in society, of which these constructions serve as contexts. Thus
differentiation of the highest possible order in order to be able to represent the intentions of individual acts in society is a major attribute of contexts constructed in law. But, as it has been noted, this scheme of differentiation is also based on a homogeneity of the scale on which this differentiation is made. That is to say, certain fundamental general norms provide for the bedrock on which alone a detailed scheme of differentiation of acts in society is conceivable.

In the absence of fundamental general norms providing for a homogeneous scale of the differentiation of various criminal acts in society, the highly differentiated contexts in law within which criminal acts have so far been observed, it was extremely difficult to get a taste of the acts in society, which have been interpreted in law as acts of crime. It is proposed that if the highly differentiated scheme of contexts in law are placed in contexts outside the law, whose purpose is not at all the explanation of the intentions expressed through acts in society, and which are not differentiated as much as the detailed scheme of differentiation in law, it may be possible to have a more general view of the acts in society which are interpreted in law as acts of crime. But this more general view of the contexts of acts of crime in society outside the law will also be more inexact, because these contexts are not as much differentiated as those in law, and the purpose of these
contexts is not at all to explain the intentions of criminal acts in society. This inexactitude is accepted because when a greater differentiation is not possible on a homogeneous scale, it may be interesting to see how contexts outside the law, which are much less differentiated can give a more general idea of the acts in society interpreted in law as acts of crime. Even with the accepted inexactitude of the contexts outside the law, however, it will be seen that there is no assurance that criminal acts in society in a particular instance, can be seen in one context, or several contexts between which there is a commensurability of the norms on which these are based. In fact, these contexts, which have been isolated either from the First Information Report or the Case Diaries prepared by the Inquiry Officer investigating into the criminal act, may be at cross purposes even with reference to a particular instance.

Acts in society which in law have been interpreted as criminal, have been related to contexts outside the law in two phases. In the first phase, acts in society which in law have been interpreted as being criminal, have been first enumerated in contexts within the law and then have been placed in contexts outside the law. That is, the contexts outside the law provide for the rubrics under which the penal categories as contexts in law have been identified. The purpose here is to see how the different combinations made of the inter-relations of the law(s)/section(s) under the rubrics of different
contexts outside the law, are compatible amongst themselves and with the different contexts although the greater emphasis is on compatibility of the combinations of the law(s)/section(s) with the different contexts in which these have been placed.

In the second phase, the rubrics of the different contexts outside the law are kept, while the combination of law(s)/section(s) related to it are removed. In their place, are brought other contexts outside of the law, and it is seen how these contexts outside of the law are compatible with the ones under whose rubrics these have been brought and also how these contexts are compatible with each other.

Of the six general contexts which have been identified, disputes in family⁴⁹ seem to provide an important context for criminal acts in society. What immediately draws attention in the data is a certain regularity of the frequency of occurrence of these disputes. In all the years between 1988 and 1991, these disputes have the least frequency of occurrence in Kultali and the most in Baruipur, with Kakdwip remaining somewhere in the middle. In order not to emphasize too much on the uniformity of the pattern, as it emanates from the data, it is important to have a brief reflection on what family means in these three police station areas. In Kultali and partially in Kakdwip police station areas, a family may mean a whole locality, or a large part of it. In an area
called Haldarpara, for example, the Haldars may be available in a significant number, if not in a majority. The common callings among the members of the households of the Haldars in Haldarpara, are family callings like uncle, aunt, brother, sister etc., although the relations expressed in these callings are not the same as in the urban centres. In the urban areas of Baruipur and parts of Kakdwip, these callings may be put to a more restricted use, in that only interpersonal relations in a single household or closely related households may be attributed callings such as these. In fact, there seems to be no strict boundary in the more remote parts of Kultali and Kakdwip between the idea of the family and the local jati or sub-caste. Although in large parts of South 24 Paragnas district, the pattern of human settlement is somewhat unusual from the jati point of view, as compared with most other districts in West Bengal, it seems that the constellations that the local jatis acquired over the years at least to some extent shows the blurring of distinctions between family and jati as in some other districts. In the urban and semi-urban areas of Baruipur and Kakdwip police station areas, on the other hand family means the immediate household or such immediate households which, till about a generation ago, were part of the same household.

This means that in the remote areas of Kultali and Kakdwip, what are reported as disputes within a family may be difficult to distinguish from disputes between
neighbours, on issues ranging from boundary disputes to quarrel between children of two households. In the urban and semi urban areas of Baruipur and Kakdwip, on the other hand, disputes in family take on either of two forms, disputes concerning women in family, particularly their marriages or relations with their in-laws, and disputes on the sharing of common property.

Inspite of these differences, it appears from the data that disputes in family involve a lot of sections of the law on violence. In Kultali, it seems that not only are the total number of disputes in family less than in other police station areas in all the four years under consideration, sections on different types of violent actions are more frequent than those on property offences. From this, it seems that some of the violent incidents in families in Kultali did not involve disputes about common property. Noticeably, in Kakdwip, sections on property offences such as theft and criminal trespass are more frequently used, whereas there is only a marginal increase in the frequency of use of sections on 'crimes of violence'. In Baruipur, the use of sections on both crimes of violence and property offences are more varied and wide-ranging than in both Kakdwip and Kultali. In the area of the use of sections on violence, almost all the usual sections like those on offences against public tranquility, hurt, criminal intimidation, mischief, common intention, criminal force, wrongful restraint, offences affecting life and kidnapping are used in Baruipur. In
the area of crimes against property also, in addition to sections on theft and criminal trespass, which are the usual ones, other sections, such as those on criminal misappropriation property, criminal breach of trust, cheating and even robbery and dacoity are present. What is surprising is that sections on robbery and dacoity should find place under the rubric of what are described as disputes in family. Even more surprising is the presence of sections on sexual offences such as rape in the category of disputes in family. In Baruipur, where disputes in family are more likely to be between immediate members of a household or members of households who are rather closely related to each other, the use of sections on offences like robbery and dacoity and sexual offences seems to be quite difficult to explain.

Apart of the explanation may be found when disputes in family are related to other contexts outside the law(s)/section(s) in which these disputes take place. The data on this are not exhaustive in the sense that the records of the three police stations, which are the only source of these data, often do not specify the context(s) in terms so clear that these could be enumerated. Where the context(s) could not be specified clearly, there was no attempt made to construct a context on the basis of the available information. These context(s) have been enumerated only when these were available in clearly enumerable terms.
From the data that were available, it can, however, be clearly seen that of the other contexts to which disputes in family are related, in Kultali, political disputes are less important than in Kakdwip and particularly Baruipur. In the case of disputes over land also, interestingly, these are more closely related to disputes in family in Baruipur than in Kakdwip and Kultali. But disputes over land, together with disputes between neighbours and offences against women, are among the most closely related to disputes in family in Baruipur. As far as disputes between neighbours in their relation to disputes in family are concerned, Kultali has more of these than Kakdwip and Baruipur in 1988 and 1989, but in 1990 and 1991, for some reason, no dispute between neighbours is reported in their relation to family disputes. But offences against women show a clear pattern. These offences in their relation to family disputes are the least in Kultali and the most in Baruipur, with Kakdwip remaining in the middle in all the four years under consideration. Business/Property related disputes in their relation to family disputes are the most frequent in Baruipur, while these disputes are almost insignificant in Kultali. Disputes related to marriage are also the most frequent in their relation to family disputes in Baruipur, although in Kultali and Kakdwip also there are some reports of family disputes concerning marriages.

It is really striking that offences against
women should have such a wide spread in terms of the law(s)/section(s) used to define them. The records of Kultali, Kakdwip and Baruipur taken together, the law(s)/section(s) used in offences against women cover the following: offences against public tranquility, hurt, criminal intimidation, mischief, attempt to commit offences, common intention, criminal trespass, criminal force, wrongful restraint, murder, offences affecting life, Arms Act violations, false evidence, kidnapping, abetment, cheating, robbery and dacoity, criminal breach of trust, criminal conspiracy, sexual offences, criminal misappropriation of property, theft, and adultery.

Another striking thing about the offences against women is that Kakdwip has on an average the lowest level of these offences. Particularly in 1989, these offences appear to be very infrequent in Kakdwip. A clear reason for the infrequent occurrence of offences against women in Kakdwip, it is reliably learned, is that the police in Kakdwip, at least at the time when the field work for the present research project was conducted, was not particularly enthusiastic about registering cases of offences against women. When this was pointed out, a police officer of the Kakdwip police station revealed that there are so many complaints of offences against women in Kakdwip that if all of them have to be registered, the entire personnel strength of the police station have to remain preoccupied in investigating into these offences.
However, on the basis of the available data, it can be seen that in Kultali, a relatively large proportion of the offences against women is what in law is called the use of 'criminal force'. Although the proportion is not as high as in Kultali, in Baruipur and Kakdwip police stations section(s) on 'criminal force' are in frequent use. Interestingly, in a large number of the cases of the use of section(s) on criminal force, the section that is used is the one which deals with what is called the 'assault or criminal force to woman with intent to outrage her modesty'. A perusal of the First Information Reports reveals that this section is used in cases where there is a specific reference made in the FIR the offences were committed against that woman. The situations in which this offence is committed against women are usually like this: a dispute between two parties being fought out in an open space, which is also visible to people who may not be directly involved in the dispute. Usually not only men and women, but also children participate in the disputes. These are disputes between two bodies of men, women and children, there may even be a third of them, in which every party tries its best to score the maximum points. Thus when the modesty of a woman is outraged or she is assaulted, the intention is not so much outraging the modesty of a woman, as it is to score the maximum point for one's own side. Not only thus are many of these acts of 'outraging the modesty of a women' not very different from the manner in which a man
is assaulted, but it is also most often women who actually do the 'outranging of modesty' of other women. This explains why along with sections on criminal force against women, there are quite often other sections which deal with 'crimes of violence' like offences against public tranquility, hurt, criminal intimidation, common intention, wrongful restraint etc.

Another part of the offences against women deal with the use of sections on offences like kidnapping, abetment, cheating, criminal conspiracy and sexual offences. Again a perusal of the First Information Reports indicates that these sections are likely to be used in situations in which a woman of a certain household has some kind of a relation with a man of another household. These relations between a man and a woman may be a premarital 'love-affair', the man and the woman's eloping together, a marriage without the consent of elders in the respective families, the irritants in the relation between a housewife and her in-laws, in which her lover/husband may be on her side or perhaps against her, and an extra-marital relation of a man or a woman. Within this range, many of the sections on kidnapping, abetment, and to some extent cheating are used in FIRs filed by the elders of the women who might have eloped or got married to a man in another household of the locality. When the elders in such cases are influential people in the locality or are 'literate' to the extent that they can
use the law to their benefit, some sections of the law dealing with offences such as theft, criminal breach of trust, criminal conspiracy, criminal misappropriation of property may also be used. But more frequently, these sections are used when a housewife has problems with her in-laws, in which either the in-laws may make use of these sections or the elders of the family to which she belongs by birth, may use these sections against either her husband or the other in-laws or both. However, seen in a comparative perspective, offences against women, like disputes in family, are unmistakably more frequent in the urban areas of Baruipur, than in the rural Kultali.

It is not surprising that when offences against women are related to other contexts outside of the law, the most prominent of these contexts are land disputes, disputes in families, disputes between neighbours and disputes related to marriage. In some of the cases, though, politics is also roped in these disputes. It is to be noted that political parties move in to situations which do not have a defined boundary, but those in which political parties have something to gain from are usually land disputes, disputes between neighbours and family disputes which are often not distinguishable from land disputes and disputes between neighbours. It is also interesting to see how far the problems associated with marriage stretch because along with disputes about marriages, there are also other issues like rape, pregnancy outside marriage and rape by a distant relative.
In fact it can be seen from the FIRs and the Case Diaries of the Inquiry Officer that often the pre-marital relation between a man and a woman turns sour once the woman is pregnant. The man walks out of the relation and the woman is left in a lurch. Then the elders in the woman's household, who might or might not have known of the relation before, move in and police cases are filed in which sections on rape, unlawful pregnancy, cheating and the like are inserted to force the man involved into a negotiated settlement of the issue.

The category of 'disputes between neighbours' is the most ambiguous of the contexts outside of the law in which offences are committed in society. The point at which the ambiguity of this category is noticeable in the beginning is when the term 'neighbours' is sought to be defined. It is indeed very difficult to say when two or more persons are neighbours. It is quite possible that when a person comes to the police station to lodge a complaint against a member of another household, he may deliberately omit a reference to the fact that his opponent may be his own brother or cousin or perhaps that both of them belong to the same erstwhile joint family or that they belong to the same kin group or jati. There would have been no problem with taking even two disputing brothers as neighbours if there were not other occasions when a member of one of these households engages in a dispute with a person from a more distant section of the
erstwhile joint family, or to a member of a different erstwhile joint family or perhaps to a person who belongs to a different local jati, where-upon these same two persons would come to the police station together and file a complaint with the police against that other person, or each of them would at least allow other members of their households to do the same on their behalf. Moreover, the pattern of behaviour expected of two persons who live in the same neighbourhood based on some common codes of conduct, is not seen in large parts of Baruipur, Kakdwip and Kultali. This is because in most of the rural areas of Baruipur, and Kakdwip and in the whole of Kultali, the commensurability of food and water, attendance to common social functions, similar rituals for the worship of god, similar practices in trade and business, which would have served as the basis for the development common codes of conduct among the persons of the same neighbourhood, have not developed to the extent at which two or more persons of the same neighbourhood would be expected to behave in specific ways. By contrast, in the urban areas of Baruipur and Kakdwip, where the people have access to the written word, the ones who have learned the rules of common conduct in their schools and colleges, are places where there are long traditions of public festivals like Durga Puja, in which many people participate irrespective of the family or even the jati to which they belong, of local sports clubs, cultural organizations, which bring artists from Calcutta or elsewhere in the country.
including film and music personalities from Bombay to organise cultural public functions, in which participation is unrestricted as far as caste or even religions group boundaries are concerned.

Inspite of these problems, the category of 'disputes between neighbours' has been coined in the absence of another more suitable category, and it is taken to be an umbrella concept, within which it is possible to study disputes between brothers and sisters, between units of an erstwhile joint family, between smaller identities within the larger parameters of a local jati, and between local jatis and even religious denominations. It is because 'disputes between neighbours' includes disputes between all these different identities that it is famed that in Kultali, where these distinctions are very strong, these disputes are almost as frequent as in Baruipur, where these distinctions are not as strong as in Kaltali. Clearly, the meaning of 'disputes between neighbours' has to be differently understood in these two local societies.

Since the category of 'disputes between neighbours' includes disputes which are different from each other in terms of both their forms and content, the immediate issues which gives rise to these disputes may be small ones like quarrels between children of two households, the eating of crops belonging to one household by cows or goats belonging to another, pulling of water
from a tubewell built by the panchayat or municipality, which may be the only source of drinking water to the entire locality, to more serious ones like matrimonial festivals, boundary disputes, disputes associated with land, other forms of property, business, involving public institutions like schools, colleges, cinema etc. Consequently, the table on 'disputes between neighbours' is rather crowded with numerical data filled in most of the boxes. But, on a closer look, it can be seen that the law(s)/section(s) used are more in the nature of 'crimes of violence' rather than 'offences against property'. The most unifying aspect of the heterogenous nature of 'disputes between neighbours' seems to be that of settling scores, whether between individuals, relatives, jatis or religions denominations.

It is the unifying aspect of settling scores which relates 'disputes between neighbours' like those associated with the possession of land or other forms of property, business, families, women, public institutions, marriages etc., and at the end, politics. The reason for which political disputes are not associated with disputes between neighbours at the end of the long trail of their association with other disputes is that the settling of scores with others requires the strength of number. For politics also, there is a constant need for adding more and more people to their existing strength of people and intervention in these disputes, especially where the number of people involved is large, would directly
benefit them in expanding their support base among people. This is why disputes between neighbours and political disputes are among the most closely related of the disputes with which the disputes between neighbours are related. An important issue in an era of political reform over which neighbours have found a new reason for dispute between themselves is the question of possession of land. This is why land disputes are in fact the most closely related to disputes between neighbours. It is noteworthy that the association of disputes between neighbours with both land disputes as well as political disputes is the most prominent in Kultali, both because in Kultali these disputes arise from mobilization of people on the basis of their distinction, and because the programme for political reform, which has been started in Kultali, has not yet been able to bring the question of land right to a generally agreeable solution.

The category of 'Land disputes' is also internally disparate, but its inner divisions are not as wide-ranging or as sharp as 'disputes between neighbours'. Land disputes cover anything from the legal rights to a piece of land, the question of actual possession of a piece of land, the rights of possession of a piece of land emanating from the agenda of a political party or the contending positions of several political parties with respect to a land piece, to boundary disputes between neighbours, disputes over the rights of passage, the slope
of the land surface which may cause rain water to flow from one plot to another, the cutting of branches of trees by one or several persons which do not belong to them and even the stealing of fruits from trees by young boys. As is only to be expected, the law(s)/section(s) applied to 'land disputes' also cover a rather wide spectrum: offences against public tranquility, hurt, criminal intimidation, mischief, common intention, criminal trespass, criminal force, wrongful restraint, murder, offences affecting life, Arms Act violations, Indian Explosives Act violations, receiving stolen property, contempt of lawful authority, kidnapping, abetment, cheating, public health, robbery and dacoity, criminal breach of trust, criminal conspiracy, sexual offences, theft, forgery and offences related to documents and property.

What is clear is that some of the law(s)/section(s) are more likely to be applied to certain types of land disputes, while others would probably have a greater frequency of application in some other types of land disputes. The most serious of land disputes are, of course, the ones in which the legal status of the piece of land is questioned by two or more parties in their different ways, in which different political parties have also intervened in favour of the contending parties. These disputes are serious not only because the different political parties are able to mobilise more people and can give them a definite form of collective action than
would usually be the case in such disputes, but also because the positions of some of these political parties on the status of the piece of land can deny to the state its role as the third party, the neutral body, between the contending parties, and accuse it of being partisan. The problem is that in such cases, the authority of the state tends to lose its validity among a large section of the people in society. Such questions arise usually when there are disputes about whether a piece of land should be declared by the Government as vested in it. When the declaration of the government vindicates the point of view of one of the contending parties, the frequent tendency among those whose positions are not vindicated is not to appeal to the higher authority in the government or to take it to the court of law for settlement, but to do something about it themselves. Uncertainly over the status of a land is no longer the most frequent source of land disputes, but such problems tend to have a spill-over effect, in that the positions taken by the political parties on the status of a particular piece of land would tend to influence the taking of positions by these political parties with respect to other plots of land as well, although the status of the land in the latter cases may have a different legal bases. The problem for the political parties is that they are not able to convince the contending parties in the latter cases of the difference in the legal status of the land. Kultali
police station area is the place where this problem appears to be endemic as yet and this largely explains why land disputes are so frequent in Kultali. A police officer who had a long experience in this area revealed in an interview, which was also corroborated by one senior political leader of the area, that after the turmoil of the late sixties and early seventies, land disputes were becoming gradually infrequent in the Kultali area, the statuses of certain disputed pieces of land were thought to be resolved for good. But of late, the statuses of some of these lands were once again opened for questioning, which once again brought in the contending political parties and the Land Reforms Department of the Government of West Bangal. Consequently, there is once again a spurt in land disputes in the area. Paler Chowk in the Kultali police station area is one example of a disputed land, which has been reopened. But as it already has been mentioned, disputes about the legal status of a piece of land is such a sensitive issue in areas like Kultali that it gives a fillip to other types of land disputes as well. Parties to land disputes who may still be dissatisfied with the settlement of a land dispute sometime ago may feel encouraged to reopen the dispute so that it may be won over to their side. The first thing likely to be done by the aggrieved party will be to solicit the support of others. The opposite side by that time would come to know of these developments and would take their turn in mobilising opinion. In Kultali, it is
likely that these initial mobilizations would be based on some kind of distinctions, be it the family of origin, be it jati, or be it religions denominations. These mobilizations would then provide for the ideal setting for intervention by different political parties on the contending sides of the dispute. So land disputes are most closely related to political disputes and disputes between neighbours. Also, since these disputes involve not only mobilization of people, but there are also stakes in winning for both the direct parties to the dispute and the intervening political parties and they are aware of the fallout of their defeat, they leave no stone unturned from finding supportive agreements to building the muscle power necessary to win the battle to their side. This is why almost all the law(s)/section(s) invoked in defining these incidents are in the nature of 'crimes of violence', and there is hardly any section which deals with 'property offences'. Some of these sections applied, like those on theft and receiving of stolen property, appear to be more of an incidental nature.

In Baruipur and partly Kakdwip, the types of land disputes are usually different from those in Kultali, but there is no scope for absolutising the difference. In the Baruipur police station area also, there is one place called Pealir Char, where the nature of the dispute is somewhat similar to that at Paler Chowk in the Kultali police station area. Thus the mobilization of people
largely on the basis of their social distinctions, the later intervention of political parties and a direct showdown of forces is not unusual, as was the case in a place called Domdoma, in the Baruipur police station area in early 1989. Still the most frequent types of land dispute are different from this. A frequent type of land dispute in Baruipur is in the nature of disputes between the descendants of an erstwhile joint family about the common land of the family. Here the dispute is between different units of the erstwhile joint family about the legitimate share of each of these units. Since in disputes of this nature, all the disputants involved belong to something which is held as common to all of them, that is the common family background, more often than not they do not seek the intervention of political parties, and want as little of outside intervention as perhaps they can afford to have. Another form of land dispute in Baruipur are between tenants and landlords. In these cases also, the parties involved may not want too much of outside interference. The third category of disputes in Baruipur and partially in Kakdwip is what may be called boundary disputes, that is, dispute about the boundary between the plots of land belonging to two different households. Although the mobilization of people in disputes of this nature and the intervention of political parties on the two contending sides, is not altogether ruled out in such cases, what can at best be said is that this is not usual. The other disputes like the ones over the rights
of passage from a certain plot of land, the cutting of trees, stealing of fruits from trees, etc. tend to mesh land disputes with 'disputes between neighbours'. It is clear from this why in Baruipur, the element of violence in land disputes is noticeably less than both in Kakdwip and Kultali.

In order to understand the broad spectrum of social activity that politics covers in south 24 Parganas District, it will perhaps make some sense to begin by pointing to one end of the spectrum: a local political leader in Kakdwip pleading before the officer-in-charge of the police station that he was sure that a person arrested on charges of raping a woman was not guilty of the charge. At the other end of the spectrum, there would be demands for restoring land to the tillers, better civic services, promotion of the cooperative movement etc. The point is that neither of the two ends of the spectrum is to be given more importance than the other. But from the point of view of its more frequent preoccupations, it seems that intervention outside what is called public sphere is more important to politics than dealing with issues in the public sphere. It seems that the space in the public sphere is just about too narrow. It does not involve too many people, at least not people sufficient enough for political parties to make their presence felt in society at large. This is why politics has often moved out of this narrow public sphere. But only with reference to
Baruipur is it possible to talk about the public sphere and the need for politics to move out of its narrow sphere in order to be able to involve a larger number of people in society. For it is only in Baruipur that public institutions like schools, colleges, hospitals, offices, libraries, sports and cultural organizations, and municipal bodies involve a relatively large section of the people in society, and they interact not only in these institutions but also with things and events outside their immediate surroundings. Even here, the scope of those who are involved in these sphere of life are not the majority of the people in the urban society. But outside the urban areas, there is practically nothing like what is called the public sphere. This does not mean that there are no schools and colleges hospitals, offices, libraries, sports and cultural organizations, and the rural municipal bodies called panchayats, although, perhaps, in these areas, these institutions would not be as many as in urban Baruipur. The point is that in Kultali, Kakdwip and the rural parts of the Baruipur police station area, the public institutions do not provide the scope for interaction of as many people in society as in urban Baruipur. Moreover, even in Baruipur, where it is being said that there is a public sphere, however narrow in its social space, there is not the assurance that the rules of behaviour in the public sphere, would be observed in politics.

Outside this narrow public sphere in urban
Baruipur, in the rural areas at Baruipur, Kakdwip and Kultali, even partially inside it, politics simultaneously constructs and demolishes the construction of the public sphere. This is why it can be seen from the data that political disputes in all of the four years were the most frequent in Kultali. The manner in which politics constructs the public sphere in areas like Kultali is that although political parties usually intervene in a dispute only when a fair degree of mobilization of people on the basis of their social distinctions has already taken place probably on both/all sides of the dispute, they have to mobilise an even larger number of people to ensure their victory. But these later additions beyond a point cannot be made on the basis of social distinctions which match with those of the originally mobilised people. The originally mobilised people have to accept the later additions to their number both because they have prospects of gain from them and because this serves as a precondition for political intervention. In this way the original distinctions are gradually blurred through collective forms of thinking and action. Secondly, the manner in which politics demolishes the public sphere which it has partially thus constructed is that it seeks to enforce its own partisan rules on the rudimentary public sphere that it has constructed mostly through setting certain agenda for action and the infusion of a certain elementary sense of
justice in the participating people. In the absence of more advanced cultural tools for the protection of the rudimentary public sphere, politics succeeds in cracking the bounds for its immediate partisan ends. So there are basically two sites of political disputes: initially when politics intervenes in favour of a disputing party, mobilises people and opinion in its favour, clashes with the other side and then when a broad based organization and social support is created, that is, a public sphere in the narrow sense is created, politics seeks to enforce its own partisan rules for immediate ends.

This is why political disputes tend to involve a lot of violence. This is why sections of the law dealing with the most crude forms of violence crowd the chart on political disputes: offences against public tranquility, hurt, criminal intimidation, mischief, common intention, criminal force, wrongful restraint and wrongful confinement, offences affecting life, murder, and Arms Acts violations, although associated with these are sections on 'property offences' like criminal trespass and theft. It is to be noted that although these law(s)/section(s) are more frequently applied in Kultali than in Kakdwip, these are quite frequently applied in Baruipur. But on the basis of the law(s)/section(s) themselves, it is not possible to distinguish between the different kinds of political disputes that can be noticed in the three police station areas. What, however, immediately strikes is when the First Information Reports
of the three police stations are compared is the extremely long list of the accused in Kultali police station FIRs. Here may be a clue to the nature of political disputes in Kultali, which, in terms of the distinctions between the two sites of political disputes made above, may be said to be over the nature, extent and the problems of mobilization of people and their opinion in term of certain political goals. The people in Kultali, at least those who matter, are thus sought to be divided on certain broad political lines represented by different political parties. Since mobilization of people and opinion is the purpose, those who refuse to be mobilised on one side, are either coerced to fall in line, or are taken to belong to some other side. In Baruipur, by contrast, political disputes are relatively less frequently centred on such large scale issues of mobilization and there is no need for making this mobilisation a visible object to the society in general. Here the disputes centre on more small scale issues, such as defending an activist in an act he has committed, making small interventions in specific sites, to keep the organization intact and then talking about and engaging in issues and activities, in which the organization itself is not always visible in full strength, but which enables the political party to work among the people in general, who need not be members of the organization but who are expected to support the organization on the basis of their work in society.
An idea of the nature of political intervention in Kultali, Kakdwip and Baruipur can be made on the basis of the available data. In Kultali, the major interventions of politics were in land disputes and disputes between neighbours, whereas in Baruipur and Kakdwip, disputes related to business and property and disputes in family were more frequent. From the nature of these interventions, it appears that in Kultali political parties intervene only when there is a scope for mobilization of both political opinion and people, but the emphasis is more on people than on opinion. Land disputes and to some extent disputes between neighbours are such that they require the participation of many people, when these are not taken to the court of law for settlement. Thus the need for political parties to intervene on contending sides and to mobilise opinion and people in favour of their respective sides and themselves. In the urban areas of Baruipur and Kakdwip, apart from the need for looking after their organizational needs, it seems that political parties perform some of the functions of the organs of the state, such as the police and the courts in a more flexible manner, but perhaps not from a neutral objective. Such substitution of functions of the state by political parties obviously reflects on the efficacy of these institutions of the state, but the point of view from which political parties perform these functions in society is to increase their support base among the common people who need not always be part of
their organizations.

As distinguished from the law(s)/section(s) which seek to explain acts of violence in society, which seem to be wanting in their ability to adequately specify the violence they deal with, it appears from the data on offences related to business/property,\textsuperscript{54} that the law(s)/section(s) dealing with these offences are able to more precisely specify the acts in society which constitute these offences. One clear indication of the greater specificity of the offences related to business/property is that there are more laws and more sections of the Indian Penal Code which deal with offences related to business/property than those related to violence.

Of course, in the three police station areas of Kultali, Kakdwip and Baruipur, the offences related to business/property are also related to violence in some instances. But what is to be noted is that in Kultali, not only are the offences related to business/property are less, but also are the ones related to violence, although from the data available on other offences, it does not appear that Kultali is particularly reticent about violence. In this respect, it is rather surprising to see that Kakdwip, which is otherwise not very prone to violence, has more violence than Kultali. But by far the most violent as far as offences related to business/property are concerned, is Baruipur, where
law(s)/section(s) on both violence and offences related to business/property are used most frequently and in the greatest detail. This also explains why in Baruipur, one frequent site for political intervention are business/property related disputes.

It could be seen in this chapter that in the context of the three police stations, namely, Kultali, Kakdwip and Baruipur, the categories on the basis of which the police seek to explain acts in society in law are frequently used in combination. This is in spite of the usual practice in which the acts of crime in society are explained in terms of singular legal categories, on the basis of which the propensity for acts of crime in a society is measured. At the level of the theories, on the basis of which Indian law seeks to explain acts in society, there would not have been any problem in the use of law(s)/section(s) in combination in the explanation of criminal acts in society, as long as these combinations are meaningfully related to each other. But in many cases, it could be seen in this chapter that the law(s)/section(s) used in combination with each other, were not meaningfully related to each other. It may be argued that this problem of meaningful combination of law(s)/section(s) in the explanation of criminal acts in society, creates (or manifests) a split between the normative basis of laws and the normative basis of social events, which they seek to explain. In trying to locate this split, moreover, it is not of much use, to construct
a binary opposition between two normative structures, which are internally homogeneous. Besides, it is not sufficient to say that the laws are internally homogeneous, while the contexts in which these are applied are heterogeneous. This is so because while the laws are internally homogeneous at the theoretical level, this homogeneity cannot be maintained since the purpose of law is to explain acts in society which are heterogeneous. What is more interesting is that the split between the laws and acts in society seems to provide for certain patterns in the local societies in which these laws are applied. At the same time, it can be seen from the data on the three police stations, that these patterns are internally highly disparate. The internally disparate character of the patterns in the local societies, have to be taken in their complexity, rather than in the simplicity of their assumed internal homogeneity. Thus, on the one hand, it is not that patterns of crime in the local societies are unique, that these patterns bear no relation to each other across the different local societies. On the other hand, it is also not that the local societies are indistinguishably uniform and that the patterns of crime in these societies are clearly related to each other.
### Notes and References

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<td>3</td>
<td>ibid., p. 41.</td>
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17 ibid., pp. 207-208.
20 Sections 279 and 280 are the main sections of the Indian Penal Code (1860) which deal with theft.
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