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Abstract
Crime and the performance of it is more often than not the display of power. Who is a criminal and what is the true nature of the punisher are questions which have eluded authors time and again. Prior to asserting these questions it also becomes necessary to ascertain what crime is. This research article strives to establish primarily what crime is, taking into consideration the available literature in sociology as well as the seminal research done in the area by some of the most prominent sociologists of the century. Making use of these theories and assertions, this article seeks to ascertain who a criminal is and the nature of the punisher with reference to Foucault’s power-knowledge theory and who the real perpetrators of the crimes are in the socio-cultural context as represented in Beloved and The God of Small Things. Beloved speaks of the American society after the Civil War and after the abolishment of slavery still failing to provide the slaves freedom in the true sense of the term. In The God of Small Things it is the Indian society in the sixties and the seventies, highly stratified in terms of caste and class, trying to abrogate untouchability, which is in question. The paper evinces how the natures of the punishers in these two disparate societies are essentially the same and how in various ways the punisher becomes the criminal and subverts the criminal-punisher dichotomy and gets away with it, thereby distorting and corrupting the status quo of the societies.

Keywords: crime, criminal, punisher, punishment, slavery, untouchability,

Introduction
Crime has often found its way in high literature, and literature has succeeded in presenting crime in exciting and esoteric terms – something which is beyond the understanding of the common man and therefore intriguing in its uniqueness and furtive tendencies. However other than the criminal-crime dichotomy literature also sometimes seeks to question the basic tenets of crime, that is, it tries to ascertain what exactly is crime, what are the punishments of committing a crime and most importantly who the punisher is and the nature of the punisher.

Sociology defines crime as an act of deviance which not only breaks a social norm but also goes against a law. Deviance on the other hand according to William Graham Sumner is a violation of the established, cultural, contextual and social norms whether they are folkways, codified laws or mores (Graham 1906). These norms, the deviance from which elicits a punishment, are subject to the social and cultural conditions prevailing in the society to
which they are intrinsic. Thus the punishments for similar crimes in different societies vary if not to a great degree. However the natures of those who punish these crimes in society are found to be similar. Michel Foucault argues that power and knowledge are inseparable from each other in his power-knowledge theory. He says “there is no power relation without the correlative constitution of a field of knowledge, nor any knowledge that does not presuppose and constitute at the same time, power relations.” (Foucault 27) The exercise of power is always backed by knowledge and this knowledge always furthers the interest of one group while marginalizing the interest of some other, no matter how unintentional this marginalization might be. This knowledge which purports the supposed superiority of one group over the other also makes the mistreatment of the said marginalized group acceptable and necessary to maintain the status quo of the society.

Toni Morrison’s Beloved and Arundhati Roy’s The God of Small Things though set in different socio-cultural contexts seek to question the extent to which power is abused by those who punish crime in society and are comparable because of the heinousness of the punishments meted out which are largely disproportionate to the crimes committed by the respective communities.

Beloved

Beloved, set in a society which had just witnessed the Civil War and was still grappling with the consequences of the abolishment of slavery, portrays the white man as the punisher. The white man has complete and indiscriminate autonomy over the black man’s body. The burning alive of Sixo, one of the Sweet Home men illustrates the extent of this control. Sixo and Paul D had tried to escape from Sweet Home but were caught before they could succeed and Sixo was immolated simply because the schoolteacher thought Sixo was insane and would not yield him much of a profit when sold to the owner of a different plantation. Similarly Paul A, who never appears at the spot designated for their meeting before they flee, is caught and as punishment is butchered with his head and feet decimated. Sethe’s rape by the schoolteacher’s nephews and the stealing of her milk while she was lactating and heavily pregnant with her fourth child speaks of the unbridled agency that the white man had over the body of the black man. The only justice that Sethe was ever awarded was the brutal whipping by one of schoolteacher’s nephews which left a scar as intricate as a “chokecherry tree” and as expansive. In fact Sethe murdering Beloved, her two year old daughter, could hardly be considered a crime as it was simply the prevention of an act which would have been infinitely more criminal: the indiscriminate use and abuse of slaves. She did not want her children to be exploited and violated and therefore she chose death, albeit murder to preserve the dignity of her children’s lives. Not one of the perpetrators of rape, or murder is punished by the authority emboldened in its acts by the knowledge of the superiority of its race. Therefore when Morrison makes Baby Suggs say “...There is no bad luck in the world but whitefolks” (Morrison 105) one is thoroughly aware of the veracity of the statement.

The God of Small Things

In The God of Small Things the punisher becomes the higher caste Touchable Indian even though the socio-cultural context of India in the late sixties and early seventies proposed a society which declared itself to be equal, just and free. The murder of Velutha, a lower caste Paravan and an Untouchable by the upper caste Touchable police, devolved with power by law, becomes an act marked by its temerity arising out of the belief of one’s superiority. Velutha’s crime had been to love an upper caste Touchable woman Ammu, thereby transgressing the cultural norms of a society which made considerable efforts in doing away with those regressive norms and with much vociferation. Indeed the abolishment of untouchability and the practice of it being considered unlawful and a punishable offence, finally holds little water when those entrusted with the responsibility of preventing it are the ones who commit it and get away with it. Police brutality kills Velutha, who did not violate any law but was only in deviance of a social norm. Whereas the police who murdered Velutha without conducting a proper investigation broke a law by murdering an innocent man, and doubly so because
it was done to unlawfully preserve abolished societal norms. Roy therefore reiterates throughout her novel that Velutha and Ammu were only culpable of breaking the ‘Love Laws’, “That lay down who should be loved, and how. And how much.” (Roy 33)

Conclusion

In *The God of Small Things* the punisher commits the crime and manages to evade consequences because of the prevailing societal norms and in *Beloved* the punisher never fears retribution because the barbarity of the punishments is not even considered a crime. In both cases the punishment of deviance becomes a greater crime than the act of deviance itself. Therefore both the novels show that the idea of criminal and punisher is subverted; that which is in place to maintain harmony in society is also that which violates it. In doing so they evince deeply flawed societies made corrupt by those in power and in positions of authority.

Works Cited


