

Traditional Marxist Perspectives on Crime

Marxist Perspective on Crime/3/4/2000/P.Covington/2000 Deviance Disc

The history of criminal legislation in England and in many countries shows that an excessive prominence was given by law to the protection of property.

Herbert Manheim

Property crime is better understood as a *normal* and conscious attempt to amass property than as the product of *faulty* socialisation or inaccurate and spurious labelling. Both working class and upper class crime... Are real features of society involved in a struggle for property, wealth and self-aggrandisement...? A society which is predicated on unequal right to the accumulation of property *gives rise* to the legal and illegal desire to accumulate property as rapidly as possible.

Taylor et al 1975

Writers

William **Chambliss**, Milton **Mankoff**, Frank **Pearce**, Lauren **Snider**

Page References

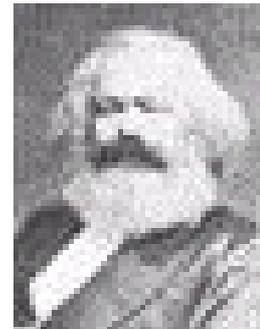
Sociology Themes and Perspectives: Haralambos: 4th Edition, 414-419

Investigating Mass Media: Moore: 68-77, Second Edition.

Introduction

Interactionist approaches opened up a concern with the process of criminalisation, but failed to explore this process in the context of the social, political and economic organisations of society. Nor did they ask why some acts were defined as deviant whereas others were not. This issue became a central theme of Marxist criminology.

While Marx did not write at length about crime, Marx argued that the laws were generally the codified means by which one class, the rulers, kept another class, the rest of us in check.



Marxists recognise that for a society to function efficiently, social order is necessary. However, apart from communist societies, they consider that in all societies one class – the ruling class – gains far more than other classes. Marxists agree with functionalists that socialisation plays a crucial role in promoting conformity and order. However, unlike the latter, they are highly critical of the ideas, values and norms of capitalist society, which they term ‘capitalist ideology’. Modern Marxists point to education and the media as socialising agencies, which delude or ‘mystify’ the working class into conforming to a social order, which works against its real interests.

Basic Beliefs:

The idea that the poor are driven to commit crime strongly underpins the theories of those criminologists who have taken Marx's work further...



- ⇒ Deviance is partly the product of unequal power relations and inequality in general. It is an understandable response to the situation of poverty.
- ⇒ See power as largely being held by those who own the factors of production.
- ⇒ Crime is often the result of offering society-demeaning work with little sense of creativity. The Marxist concept of alienation can be applied here.
- ⇒ The superstructure serves the ruling classes.
- ⇒ The state passes laws, which support ruling class interests. Maintain its power, coerce, and control the proletariat. They see individual property rights as much more securely established in law than the collective rights of, for instance, trade unions.
- ⇒ Laws passed reflect the wishes and ideologies of the ruling classes.
- ⇒ Moreover, people have unequal access to the law. Having money to hire a good lawyer can mean the difference between being found not guilty or guilty.
- ⇒ Thus for Marxists punishment for a crime may depend and vary according to the social class of the perpetrator.

Given the Above the Main issues for Marxists are....

- ✓ The **manipulation of basic values and morality of society**
- ✓ The **process of law creation.**
- ✓ The **enforcement of law**
- ✓ **Individual motivation.**



Who Makes the Laws

From a Marxist Viewpoint....

- Laws are made by the state, which represent the interests of the ruling class.
- This line of argument forms the basis of a theory of widespread crime and selective law enforcement; crime occurs right the way through society, but
- poor criminals receive harsher treatment than rich criminals. Marxists tend to emphasise 'white collar, corporate crime' and pay less attention to 'blue collar' variants. They note that the crimes of the upper class exert a greater economic toll on society than the crimes of the 'ordinary people'



Definitions of Business Crime from A Marxist Viewpoint

- Corporate or Business Crime: This term is usually applied to business persons holding power who engage in fraudulent activity on behalf of their company to raise profits. This notes that the economic cost of corporate crime is between 24 times to 42 times greater than losses accounted for by 'traditional' property crimes.
- White Collar Crime: term that is more generic used for a range of crime in business.
- Organised Crime: Best known examples include the MAFIA, where a complex web of politics, the law and big business can all be intertwined in a world of corruption and

violence. Violence against members of the USA population by corporate gangsters in pursuit of profit far exceeds violence by 'lower class street criminals'

Mannheim and Chambliss: Excessive Protection of Property

Many sociologists have noted the large number of laws dealing with property in capitalist society. For example, Hermann Mannheim writes that....

The history of criminal legislation in England and in many countries shows that an excessive prominence was given by law to the protection of property.

According to William Chambliss, such laws were largely unnecessary in feudal society where land, unmoveable property, was the main source of wealth and landowners were the undisputed masters of the economic resources of the country.



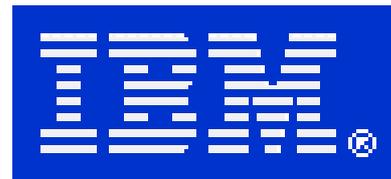
However, with the increasing importance of trade and commerce, which involve movable property, and the eventual removal of feudalism by capitalism resulted in vast numbers of laws protecting the interests of the emerging class. Chambliss argues....

The heart of the capitalist system is the protection of private property, which is, by definition, the cornerstone upon which capitalistic economies function. It is not surprising, then, to find that criminal laws reflect this basic concern.



Snider: Big Corporations Benefit from the Legal System

Lauren Snider notes that capitalistic state is often reluctant to pass laws, which regulate big business concerns, which might threaten profitability. She notes that capitalist states often use vast sums to attract investment from big corporations. They offer new investors...



- ◆ Tax concessions
- ◆ Cheap loans
- ◆ Grants
- ◆ Build infrastructures to help capitalism.
- ◆ Snider suggests having offered this the state is unwilling to enforce laws against pollution, workers health, and safety; or monopolies

Bhopal - The Dangers of Unrestricted Capitalism

The events surrounding the tragedy at Bhopal provide a good case study of how capitalist enterprises can be supported by the state on a global scale. Union Carbide, an American owned multi-national company, set up a pesticide plant in Bhopal. In 1984, the plant accidentally leaked deadly gas fumes into the surrounding atmosphere. The leakage resulted in over 2,00- deaths and numerous poisonous related illnesses including blindness. Investigations since have revealed that the company set up this particular plant because pollution controls in India were less rigid than in the USA. In Snider's terms (1993), the Indian State supported such capitalist development in the interests of allowing profits to be made. Marxists would point out that there have been no criminal charges despite the high death and injury toll. They would see the company owners as the true criminals in this scenario.



NAME	Raisa Bee
AGE	Died aged 16
AGE AT DISASTER	4
NEIGHBOURHOOD	Teela Jamalpura

She died at 6.45 in the morning of 31st October 1996 in the TB Hospital. She was four years old when she was severely exposed to Carbide's toxic gases. In the interview her mother gave she recalled, "That night my little daughter was vomiting all over the place and soiling her clothes over and over. She was coughing and gasping for breath and crying that her eyes were on fire.. She was very ill for over a week and we thought the worst was over. A few months later her problems worsened and she would get acutely breathless and bring out sputum when she coughed. She continued to have burning sensation in the eyes. She got weaker and weaker and was wheezing all the time. She lost her appetite for food and stayed depressed all the time. Then we spotted streaks of blood in her sputum. We took her to different doctors and hospitals but her condition did not improve. She vomited a lot of blood before she died." The medical records available with her mother show that Raisa was admitted at the JLN Hospital on 7.8.'96 for 20 days with complaints of breathlessness, cough and anxiety attacks. Chest x-ray report dated 30.10.'96 from the TB Hospital mentions "Bilateral infiltration with cavity formation left mid zone".

All three doctors in the assessment panel in the Sambhavna Clinic's Verbal Autopsy project have opined that Raisa's death is attributable to her exposure to Carbide's gases and the injuries caused to her respiratory and neuropsychiatric systems. In their opinions tuberculosis was a complication that arose out of the injury caused to her lungs.

No claim for compensation for Raisa's death has been registered.

The Guinness Affair

This case involved fraudulent leaks to the financial markets by Guinness directors, which artificially boosted the price of Guinness shares. The directors concerned made sizeable profits from the company directly and indirectly for themselves. One of the convicted offenders, Gerald Ronson, (one of Britain's 100 richest people) received a one-year sentence in Ford Open Prison and was released on parole after serving about 6 months.



During his time in prison, he had access to a telephone, and his wife continued to run the group of companies he owned. Since his release, he has continued to be a successful businessman. Another of the convicted offenders, Ernest Saunders, received a five-year sentence and was released after about 18 months because of being diagnosed as suffering from Alzheimer's disease. Since then, it has proved to be a false diagnosis and Ernest Saunders has now a successful business consultant.

Exercise One

Show how the articles support the Marxist view of crime in a capitalist society. Make 5 statements that would support this view and three that would reject this view.

Exercise Two

Quinney considers the following components the key components within a Marxist analysis of crime. Complete the sentences with the word below to make sense of them.

1. America and by implication Britain is first and foremost an advanced society.
2. Within capitalist societies, the state is organised to serve the interests of the capitalist
3. Laws and conventions are created by the state and the capitalist class to preserve existing social relations of
4. Laws and conventions are created by the state and the capitalist class to preserve existing social relations of
5. In order to maintain order in society, the control of crime (and deviance) is undertaken by state agencies, such as the
6. As a result of this, working class people remain oppressed, particularly through means.
7. Crime and deviance can only be eradicated with the collapse of capitalism and the creation of a society.



1. Police and Judiciary,
2. Socialist
3. Capitalist
4. Legal
5. Class
6. Inequality

Exercise Three

Marxist sociologists claim that society is **divided ideologically** as well as socially. In saying this, they alert us to the facts that not only are there different classes, but there are different class interests. To identify the existence of these competing interests or the following statements into pairs which express opposing views? Which of **Marx's two broad classes** do you think would agree with each statement?

1. Strikes are one of the few ways in which workers can exert the influence over their pay and conditions of employment.
2. Is it right that those who have a great deal of wealth should not be taxed heavily because they have earned it!
3. The shareholders of major companies want their employees to be paid a fair wage for the work they do.
4. Taxes on rich people should be much higher than at present because they have made their wealth largely by exploiting ordinary working people.
5. All that shareholders of companies are interested in is in maximising the returns they get on their shares.
6. Strikes are unnecessary and counter-productive because they interfere with the smooth running of industry for the benefit of owners, management and workers alike.



Exercise Four

Look at the following statements; link them either to Marxism, Functionalism, Interactionism, or Biological Explanations or Feminism...

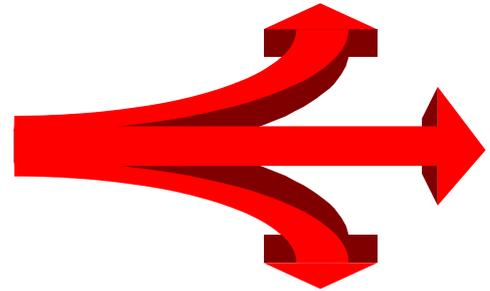
1. Criminal law is not neutral but instead is an instrument of the ruling class.
2. Individuals become deviant through social processes. Societal reactions to deviance have implications for those labelled deviant in society.
3. Crimes heighten social solidarity by uniting us against the offender.
4. Criminals can be scientifically differentiated from non-criminals.
5. Not only does criminal law reflect the interests of the powerful, so too does the criminal justice system.
6. Capitalism creates crime.
7. Women have been neglected or misrepresented in theories of crime and criminal justice policies.
8. Crime can only be dealt with through major social, political and economic change.

9. Social processes are key to what is defined and not defined as deviant.

10. Exercise Five

Looks at the following are they strengths or weaknesses of Marxism

1. The Marxist solution is simple yet monumental: if capitalism creates crime, if capitalism is the problem, then the solution is clear, get rid of capitalism.
2. Marxists tend to view the behaviour of individuals as largely governed by external forces. Thus their accounts are somewhat deterministic. Some theorists argue that individuals retain free will, which enables them to decide whether they want to commit crime.
- 3.
4. Marxists tend to represent working class crime as a creative response to oppression when reality is that much working class crime is directed at working class people. Moreover, they do not fully explain why all working class people do not commit crime.
5. It seems to ignore the individual motivation. The stress is primarily on the nature of capitalism and how economic factors 'force' people to act in certain ways.
6. It seems implausible to explain all laws in terms of the interests of the ruling elite; many laws appear to rest on general agreement.
7. Socialist states also have high crime rates at least as great as our own.



Resources Used in this Handout

Sociology Themes and Perspectives: Michael Haralambos

Introductory Sociology: Bilton et al 3rd Edition

Crime, Deviance and Social Control: Emma Wincup and Janis Griffiths.

Deviance: Peter Aggleton, Society Now Series of Books

Sociology and Interactive Approach: Nik Jorgensen et al

Investigating Deviance: Stephen Moore, Second Edition.

Introduction to Sociology: Mike O'Donnell, 4th Edition.

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