

Marxist Theory of Crime – Transcript

Causes of Crime - Criminogenic Capitalism

The concept of criminogenic capitalism, closely associated with Marxist theories, suggests that the very nature of capitalism incites criminal activity. This theory is particularly relevant in understanding various societal phenomena and can be an insightful topic for 16-year-olds studying sociology. The idea posits that capitalism, inherently, is not just economically driven but also criminally oriented.

Central to this concept are the ideas of utilitarian crime and Gordon's theory, which identifies four main factors within capitalism that propel individuals towards criminality. The first factor is greed. In a capitalist society, individuals are often encouraged to constantly desire more, fostering a sense of never-ending greed. This unceasing desire for more can sometimes lead individuals to engage in criminal activities to fulfill their wants, especially in the realm of technology and luxury goods.

The second factor is profit. The capitalist model is fundamentally based on profit-making, and this drive can lead companies to engage in white-collar and corporate crimes. Notable examples of such criminal activities include the cases of Enron and, to some extent, controversial business practices by companies like Amazon. These examples illustrate how the pursuit of profit can overshadow ethical considerations.

Competition, the third factor, is another fundamental aspect of capitalism that can lead to criminal behaviour. In a capitalist system, individuals and companies are often pitted against each other, fostering an environment where success is measured by outperforming others. This competitive nature can lead to practices like insider trading in stock markets, as individuals strive to be the top performers in their fields.

Finally, materialism and relative deprivation play a significant role in criminogenic capitalism. The constant comparison with others, often referred to as 'keeping up with the Joneses,' creates a sense of relative deprivation. This phenomenon can drive individuals to engage in criminal activities to acquire material goods they perceive as necessary for social status.

Causes of Crime – Reaction to Exploitation

Building on the foundational principles of criminogenic capitalism, we delve deeper into the concept of non-utilitarian crime. This phenomenon, intricately linked with Marxist theories, underscores the universal experience of workers facing exploitation and oppression in capitalist environments, regardless of their position in the hierarchy. Such systemic issues often manifest in a spectrum of criminal behaviors, not for material gain, but as an outlet for pent-up frustration and a form of resistance against the prevailing economic order.

Marxist sociologists emphasize that such crimes, including graffiti, assault, and other acts of anger, are not motivated by financial gain but rather by a need to vent against systemic inequalities. These actions are seen as a response to the alienation and dissatisfaction experienced in the

workplace. It illustrates how non-utilitarian crimes, alongside utilitarian crimes (those committed for financial gain), are both influenced by the inherent dynamics of capitalism.

Evaluation

Determinism and Agency in Capitalism: A key critique of criminogenic capitalism concerns determinism. This theory suggests that capitalism, as an omnipresent force, dictates human behavior, rendering individuals as mere 'slaves' to the system. However, this perspective can be challenged by acknowledging the role of personal agency. Humans are not entirely shaped by external economic forces; instead, they retain the ability to make choices independent of these influences. This critique urges students to consider the balance between societal impact and individual decision-making in understanding crime.

Reductionism in Crime Causation: Another significant criticism of this theory is its reductionist approach. Criminogenic capitalism attributes the causation of criminal activities primarily to the capitalist system, simplifying a multifaceted issue. This viewpoint overlooks other vital contributors to criminal behavior, including sociological, psychological, and biological factors. It's essential for students to recognize the complexity of crime causation and the limitations of attributing it to a single source.

Crime in Non-Capitalist Societies: Furthermore, the theory encounters inconsistencies when examining crime in socialist or communist states. If capitalism were the sole cause of crime, lower crime rates would be expected in these non-capitalist societies. However, historical examples, such as crime in the Soviet Union, demonstrate that criminal activity is not exclusive to capitalist systems. This observation suggests the need to explore a broader range of factors influencing criminal behavior, beyond economic structures.

Ideological Function of Crime

The ideological function of crime refers to the idea that crime and criminal behavior can serve specific roles or purposes within a society. According to the Marxists this is reinforcing and perpetuating ruling class ideologies or belief systems. This can be broken down into two functions maintaining social inequality and preventing revolution.

Maintain social inequality - Selective Law Making:

A primary method through which this inequality is perpetuated is selective lawmaking, where laws are crafted to favor the ruling class and effectively create a criminal class within the working population.

Sociologist William Chambliss contends that laws are predominantly designed to protect property and profits, assets typically owned by the rich and powerful. He describes the wealthy elite as a 'criminal syndicate', implying that they are a group engaged in criminal activities to maintain their power at the expense of the working class. Box further argues that the activities of the rich, which often result in death, injury, fraud, and theft, are protected by the law because it's these influential

individuals who are responsible for the law's creation. He cites health and safety laws as an example, which, while appearing to protect all, provide loopholes for employers, enabling them to escape accountability for incidents affecting their employees.

Schneider points out that governments are hesitant to pass laws regulating business activities of the affluent, as these groups are major contributors to political campaign funds. This reluctance is evident in the United States, where politicians are often unwilling to enact gun control laws despite the high frequency of school and mass shootings. The influence of organizations like the National Rifle Association (NRA), with their significant financial contributions to political campaigns, plays a crucial role in this hesitation.

The same issue is observed in the UK, especially highlighted during the COVID-19 pandemic. Numerous contracts and financial aids were awarded to wealthy individuals and companies who then failed to fulfill their obligations. However, unlike typical contractual arrangements where failure to deliver services would lead to financial repercussions, these companies were not held accountable. Recent reports suggest that there has been substantial fraud in COVID-related policies, amounting to billions of pounds, yet government action remains limited.

Selective Law Enforcement

The second part of social and maintaining social inequality is selective law enforcement. the concept of selective law enforcement, as discussed by Raiman, plays a significant role in maintaining social inequality. This idea challenges the notion that all individuals are equal under the law, a principle enshrined in various human rights declarations and legal systems. However, the reality often reflects a different picture, with distinct groups in society receiving disparate treatment under the law.

Raiman specifically addresses how members of the ruling class can commit crimes without facing investigation or legal classification of their actions as criminal. For example, social security fraud can result in severe penalties, including prison time and the requirement to repay overpaid amounts. Often, these cases involve individuals who unknowingly receive excess benefits due to administrative errors, yet they are still charged with fraud.

In stark contrast, tax evasion, particularly among the wealthy and powerful, is not prosecuted with the same rigor. High-profile figures like Jacob Riis and the owner of The Daily Mail, both of whom have companies registered in offshore locations like the Isle of Man and the Republic of Ireland, manage to evade substantial corporation taxes. Despite this, they are among the most vocal advocates for strict enforcement of laws against benefits fraud, calling for severe penalties for those found guilty.

Reimann's argument highlights a critical aspect of social inequality: the unequal application of the law based on class or socioeconomic background. This selective enforcement ensures that the wealthy remain insulated from legal repercussions, while the less privileged face stringent penalties for lesser offenses. This disparity in the legal system reinforces the existing social hierarchy, keeping the rich in positions of power and the poor in a state of subjugation and powerlessness. This analysis

offers a profound insight into the mechanisms by which social inequality is perpetuated and the role that the legal system plays in maintaining these disparities.

Ideological Functions of Crime - Prevention of Revolution

False Class Consciousness

The second ideological function of crime, from a Marxist perspective, revolves around how crime can deter a proletarian revolution. Marxists theorize that eventually, the proletariat will revolt against the ruling capitalist class, leading to a communist society. Despite Marx writing this over a century ago, such a revolution has not yet occurred. The absence of this revolution could be attributed to several factors, including the lack of a suitable organic intellectual leader or a state of 'false consciousness' where the proletariat, despite recognizing exploitation, remains apathetic due to the overwhelming influence of capitalist desires and values.

Focusing on lawmaking and enforcement, Pierce discusses the concept of false class consciousness concerning the law. He argues that laws are crafted to appear equal, masking their inherent inequality. This perception of equality under the law contributes to the proletariat's false consciousness, preventing them from recognizing and acting against their exploitation. Health and safety laws serve as an example, seemingly designed to protect workers but containing loopholes that allow for exploitation.

Another relevant example is the 2007 Corporate Homicide Law, introduced to address deaths caused by company negligence. However, in the first eight years following its enactment, there was only one successful prosecution. This law was a response to previous difficulties in attributing criminal responsibility to individuals within a corporation, as demonstrated by cases like the Deepwater Horizon disaster, where BP executives deflected responsibility up the chain of command. The introduction of this law allowed for the prosecution of companies, though it often resulted in negligible financial penalties compared to the vast profits of these corporations.

Pierce's analysis suggests that by maintaining the appearance of legal equality, these laws effectively prevent a proletarian revolution by fostering a false consciousness among the working class. They are led to believe in a semblance of equality and justice, which in reality serves to perpetuate their exploitation and the status quo. This discussion provides insight into the complex interplay between law, social consciousness, and the maintenance of societal structures, particularly from a Marxist viewpoint.

Media Descriptions of Crime

The second mechanism by which crime is theorized to prevent revolution, especially in Marxist terms, involves the portrayal of criminals in the media and the distortion of crime-related narratives. While this topic will be explored more deeply later in the unit, it's crucial to understand how the media contributes to shaping public perception of criminals and, by extension, those advocating for social change.

Media outlets often depict criminals as inherently deranged or disturbed, distancing them from the 'normal' populace. This portrayal is evident in cases of notorious serial killers like Jeffrey Dahmer or Charles Manson, who are presented as extreme aberrations of human behavior. However, the same tactic is applied to organic intellectuals and social change agents, albeit in a subtly different way. For instance, Greta Thunberg, a prominent climate activist, is not labeled a criminal but is frequently depicted in a negative light, particularly by right-wing media. Her autism is often highlighted to undermine her credibility and to frame her as an unreliable source of social commentary.

This pattern is not new. Historical figures like Martin Luther King Jr. and Malcolm X, both key figures in the civil rights movement, were similarly portrayed. Despite their significant contributions, their frequent arrests and the criminal connotations attached to their activities were used to paint them as undesirable leaders. This media portrayal serves to discourage the proletariat from rallying behind these figures, inhibiting the potential for a unified revolution. Such depictions effectively delegitimize these leaders, presenting them as untrustworthy or unworthy of mass support, thereby stifling collective action and revolutionary momentum.

Evaluation

One key aspect to consider is that lawmakers are elected officials who must represent the interests of their broader electorate, not just a small minority. If they were seen as catering only to a select group, they risk losing the support of the majority who feel unrepresented or disadvantaged. This political dynamic plays a crucial role in the shaping of laws and policies. Elected officials typically aim for re-election, influencing their decisions and actions.

Another significant oversight of the Marxist approach, much like the functionalist perspective, is its macro-level focus. Marxism, being a structural macro theory, concentrates on the societal functions and causes of crime, often neglecting the individual impact, particularly on victims. This approach fails to address that the majority of crime victims are from the poor and working classes. If the Marxist theory were more accurate, we would expect to see a higher incidence of criminal acts against the ruling class, which is not the case. The predominance of crime affecting the lower socioeconomic groups contradicts the Marxist assertion of crime primarily serving to maintain the power of the elite.