

Sociological Theories of Crime & Deviance (4)

The Marxist Theory of Crime

Marxists argue that capitalism as an economic system is characterized by an **exploitative and unequal relationship** between a **ruling minority** (i.e. a **capitalist class or bourgeoisie**) which controls **the means of production** and **monopolises wealth**, and a **powerless majority** (i.e. a **working-class or proletariat**) which has its only resource, i.e. its **labour-power**, **exploited** by the bourgeois minority.

Marxism is a **structuralist theory** because it argues that the capitalist **infrastructure** – the **economy** - determines the shape of the **superstructure**, which is made up of **all the other social institutions**, including the state (government), the law and the criminal justice system. **The function of all these institutions is to serve ruling-class interests - to maintain the capitalist economy and the class inequality** that is the product of this arrangement.

For traditional Marxists, **crime is caused by the organization and nature of capitalist society**. Their view of crime contains two crucial elements:

- **Crimogenic capitalism**
- **The ideological or social control functions of crime and law**

(1) Criminogenic capitalism

For Marxists, crime is **inevitable** in capitalism because capitalism is '**criminogenic**' – this means that **the very nature of capitalism brings about the potential for crime**. This can be illustrated in four ways:

- (a) Firstly, **David Gordon** argues that capitalism is characterized by **class inequalities** as symbolized by **inequalities in the distribution of wealth and income, poverty, unemployment, homelessness, foodbanks** etc. He suggests that most **working-class crime is a realistic and rational response to this inequality**. For example, **poverty** may force the poor to commit crime as a **means of survival**.

- (b) Secondly, Gordon argues that **the ideology** (i.e. dominant ideas) of capitalism encourages criminal behaviour in **all social classes**, e.g. the dominant **values of capitalism stress competition, consumerism, materialism, individualism, greed** etc and result in people becoming **self-seeking selfish individuals** who see crime as merely as an alternative way to achieve their goals. The media too has contributed to this criminogenic environments. Its emphasis on celebrity, monetary value and material success has encouraged a common culture of greed and naked self-interest. The media's obsession with wealth may also encourage a 'culture of envy' among poorer sections of society, who may respond to growing inequality with resentful casual violence.

Gordon notes that these **amoral (unethical) attitudes** towards crime are common across **ALL** social classes. He argues that capitalism encourages a '**dog eat dog**' system of ruthless competition while the profit motive encourages **an ethos of greed and self-interest**. He argues that the capitalist system encourages a '**need to win at all costs**'. Moreover, **the mass media (newspapers and television) encourage all members of society to aspire to the goal of self enrichment**. This culture of capitalism results in rich and poor alike committing crime.

Gordon particularly notes that **crime may be the only way the working-class, especially its poorer sections, can obtain the consumer goods encouraged by capitalist advertising**. In this sense, crime is caused by a '**culture of envy**' generated by capitalism.

- (c) Thirdly Gordon notes that the **hierarchical nature of capitalism and inequalities in wealth and income** also encourage **non-economic crimes such as violence, drug crime and vandalism** because those at the bottom of the socio-economic ladder may experience **strong feelings of humiliation, hostility, envy, frustration and failure**. Crime, in this sense, may compensate for the daily humiliation of poverty and failure.
- (d) **Fourthly, lack of job satisfaction and power at work** may also result in **alienation** for some workers who may attempt to **compensate** for this by exaggerating their **power in the sexual and domestic spheres, (e.g. the family)** by engaging in crimes such as **rape and domestic violence**.

Gordon therefore concludes that crime is a **rational response** to the organisation of the capitalist system and consequently he argues it is found in **all** social classes.

Gordon argues that, when considering the organisation and nature of capitalism, we should not be asking the question 'why do the working-class commit crime' but instead we should be asking '**why the working-class don't commit more crime**'. In other words, considering the degree of inequality in society and the emphasis put on materialism **Gordon is surprised that the majority of the working-class actually conform to the law and never commit crime.**

(2) The law as ideology and social control

Other Marxists such as **Althusser** have attempted to answer the above question by focusing on how **aspects of the criminal justice system function to socially control those at the bottom end of society.** Althusser argues that **the law is an ideological state apparatus which functions in the interests of the capitalist class to maintain and legitimate class inequality.** This theme is explored in a number of ways by Marxist writers:

- (a) **Mannheim** argues that the law is mainly concerned with protecting the major priorities of capitalism, **i.e. wealth, private property and profit.** **Snider** agrees and argues that **the capitalist state is reluctant to pass laws that regulate the activities of businesses or threaten their profitability.**
- (b) Marxists note that laws have been passed which seem to benefit the working-class, e.g. trade union rights, health and safety, equal opportunities for women and ethnic minorities, but these are **weakly enforced or they are later repealed or modified to suit the interests of the ruling class.**
- (c) **Stephen Box** argues that **the ruling class have the power to prevent laws being passed which are not in their interest.** For example, deaths of workers because of infringements of health and safety laws are a **civil rather than criminal offence.** Box notes that **the powerful often kill, injure, maim and steal from ordinary members of society but these killings, injuries and thefts are often not covered by the criminal law.** In other words, **the ruling class can ensure that their activities are not defined as criminal.**
- (d) Marxists point out that **law enforcement is selective and tends to favour the rich and powerful,** e.g. **social security fraud** (which is largely committed by the poor) inevitably attracts prosecution (and often prison)

yet **tax fraudsters**, who are usually wealthy and powerful individuals, rather than ordinary taxpayers, very rarely get taken to court.

Sayer (2015) believes that **the rich largely shape the law so that they do not end up in prison**. For example, they make sure that **governments do not close down loopholes which allow the rich and big companies to avoid tax**. This includes allowing tax havens – small islands or states where money can be hidden or where tax rates are low. Evidence supports Sayer's observations. For example, in the UK, HM Customs and Excise are more likely to enter into a private arrangement with a high-status tax evader in which he or she agrees to pay back the missing tax plus an additional surcharge or unofficial 'fine', although in 2015 the Government announced new criminal offences in an attempt to clamp down on corporate tax evaders.

Reiman (2001) in his book *'The Rich Get Richer and the Poor Get Prison'* illustrates these Marxist ideas very clearly. **He argues that the more likely a crime is to be committed by higher-class people, the less likely it is to be treated as a criminal offence**. There is a disproportionately high rate of prosecutions for the kinds of 'street crimes' that poor people typically commit such as burglary and assault. Yet with the kinds of crimes committed mostly by the higher classes such as health and safety violations (even if these have resulted in the death of a worker), the criminal justice system takes a more forgiving view.

Marxists therefore argue that the **powerful and wealthy** commit crime in the form of **white-collar crime, corporate crime and state crime**.

However, these crimes do not appear in the official criminal statistics because they are **under-policed, under-punished** and consequently **under-estimated**.

- (e) The state's **selective enforcement** of crime and the law functions to **'divide and rule' the working-classes** because **the official criminal statistics give the impression that most crime is committed by the working-class**. The mass media and some criminologists also contribute to this by portraying criminals as disturbed or depraved individuals. These **ideological processes** have **three** effects –

- They encourage workers to **blame the criminals in their midst** for their problems **rather than the way capitalism is unfairly organized in favour of the wealthy minority.**
- They **conceal the fact that it is the nature of capitalism that makes people criminals.**
- **They disguise the true extent of ruling-class crime.**

Evaluation of traditional Marxism

Traditional Marxism offers a **useful** explanation of the relationship between crime and capitalist society. It shows the **link between law making and enforcement and the interests of the capitalist class.** However, you may have noted how **similar** the Marxist analysis is to the **functionalist analysis of Merton and recent observations by Reiner and Young.** Marxism is sometimes described as a form of **'left-wing functionalism'** because it is difficult to imagine Merton disagreeing in any radical way with Gordon's analysis. However, the traditional Marxist approach can be criticised on several grounds:

- It largely ignores the relationship between crime and important non-class variables such as **ethnicity** and **gender.**
- It is too **deterministic and over-predicts the amount of crime in the working-class – not all poor people commit crime,** despite the pressures of living in a money-obsessed society, the pressures of materialistic advertising and the stress of poverty. However, Gordon does acknowledge that he is surprised that more working-class people do not commit crime.
- **Not all capitalist societies have high crime rates, e.g. Switzerland and Japan have much less crime per head of population than the USA.** The murder rate in Japan is 1.00 per 100,000, in Switzerland it is 1.2 but in the USA, it is 5.6. However, in defence of Marxism, it is a fact that **those Western societies that lack a welfare state tend to have higher crime rates than those societies that provide state welfare, e.g. benefits, pensions, free health care etc.**

Richard Wilkinson has clearly shown **empirical data that proves** that those capitalist societies that exhibit **very wide inequalities between rich and poor** in terms of wealth, income, community life etc (particularly the USA and UK)

suffer **higher crime rates** than capitalist societies with narrower inequalities between rich and poor such as Sweden.

- **The criminal justice system does sometimes act against the interests of the capitalist class**, e.g. corporate crime is punished now and then and in 2010-11, a number of Members of Parliament were prosecuted and imprisoned because of the **Parliamentary expenses scandal**. However, Marxists are probably right to suggest that **these prosecutions are not as common as they should be**. Some Marxists suggest that the occasional prosecution of the rich and powerful **functions in an ideological way to falsely persuade** the population that all criminals, regardless of social background, are punished, despite this being largely untrue.