



## THE CONTINUING RELEVANCE OF MARXISM TO CRITICAL CRIMINOLOGY

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**Abstract.** Since the early 1990s, the “new directions” in Critical Criminology have consciously excluded Marxism as being out-dated. This article critically assesses the fundamental theoretical shifts within critical criminology. It argues that Marxism remains as relevant as ever for analysing crime, criminal justice, and the role of the state. There is a great need for critical criminologists to redirect their attention back to Marxist theory by developing and extending its tools of critical theoretical analysis.

In the 1970s and 1980s, Marxism played a pivotal role in the development of Critical Criminology in the Western world. This was a period characterised by intense intellectual ferment within Critical Criminology, and Marxism, which was highly regarded in all of the social sciences at the time, was a leading theoretical paradigm. Seminal theoretical work from a Marxist perspective was produced within the field of Critical Criminology, which bristled with intellectual debate and fervour. In the 1990s and the early part of the new millennium, however, Marxism has been largely bypassed in Critical Criminology by a host of new perspectives, particularly Post-modernist Criminology, Peacemaking Criminology, Feminist Criminology, and Left Realism.

From a fairly wide field of disciplinary and theoretical traditions, Critical Criminology has become a series of “new directions” (MacLean and Milovanovic 1991), which have consciously excluded Marxism as being out-dated. The latest evidence of the apparent demise of Critical Criminology has been the more recent argument for completely dismissing Critical Criminology in favour of a “Post-Critical Criminology” (O’Reilly-Fleming 1996; van Swaaningen and Taylor 1994). It should come as no surprise, then, that faced with this pronounced paradigm shift privileging the “new” and the “post”, there has been little Marxist theorising in Critical Criminology over the past decade. This is not because Marxists have been theoretically immobilised in soul-searching, but rather because they have been made to feel increasingly unwelcome. Critical and radical perspectives have been left

out of and marginalized within contemporary criminology textbooks (Wright 2000), and Marxism has become marginalized within Critical Criminology.

This paper will critically assess these fundamental theoretical shifts within Critical Criminology. Its main argument will be that Marxism remains as relevant as ever for analysing crime, criminal justice, and the role of the state. Accordingly, there is a need for critical criminologists to redirect their attention to Marxist theory by developing and extending its tools of critical theoretical analysis.

### **Marxism in the Early Period of Critical Criminology**

From its inception in the early 1970s, diverse theoretical positions were housed under the term Critical Criminology, which in particular embraced “the early days of US radical criminology” (Michalowski 1996: 9) and theoretical pluralism. Critical Criminology was considered to be a more leftist perspective than Radical Criminology, although not as revolutionary as Marxist Criminology (Cardarelli and Hicks 1993). The “new” Critical Criminology, spawned by *The New Criminology* (Taylor, Walton and Young 1973), was “[h]istorical, holistic, processual, dialectical, and at least nominally Marxist and socialist” (Ratner 1987: 3). More recently, Critical Criminology is the term that has displaced a variety of terms (Radical, Socialist, Marxist and New) that were once applied to criminology of the left. It also now includes “feminism, postmodernism, semiotics, peace-making, theories of agency and the state, and old stand-bys like structuralism, materialism and conflict theory” (Danner, Michalowski and Lynch 1994: 2). While Marxism may be subsumed under the banner of Structuralism, Materialism, and Conflict theory, a not so subtle change has taken place. Traditionally, it was recognised that Marxism stood as one of the principal theoretical frameworks within Critical Criminology, but there is a widespread belief that Marxism has had its day within Critical Criminology and is no longer welcome.

During this theoretical evolution, the cry has often been heard that Critical Criminology is in “crisis”; and it has had internal critics who have criticised it for its shortcomings or for being unfocussed or ahistorical (van Swaaningen and Taylor 1994). From once being one of the leading theoretical inspirations, Marxism seems to have been unceremoniously discarded by most Critical Criminologists in the 1990s. Since historical myopia is one of the many unfortunate side-effects of the intoxication wrought by postmodernism within contemporary Critical Criminology, it is worthwhile to revisit the role of Marxism within Critical Criminology to see how and why this took place.

In the 1970s, Critical Criminology was awash with Marxist theorising. As DeKeseredy and Schwartz (1996: 81) explain, many critical scholars drew from Marx's analysis of capitalism "to provide both innovative and alternative explanations of crime, law, and social control". Quinney, in particular, generated a large corpus of Marxist critiques in these early days (Quinney 1974a, 1974b, 1977), and emphasised that capitalism generates a surplus population of unemployed workers who could have a propensity to engage in criminal behaviour. Chambliss (1975) also joined this shift to Marxism in the mid 1970s, and produced a rich vein of Marxist theorisation. Similarly Gordon (1971) developed a Marxist economic analysis that traced much crime to the underlying economic structure of American society. Refining the surplus population thesis, Spitzer (1975) argued that capitalism produces this population, consisting mainly of economic outcasts and a series of internal contradictions in the institutions designed to maintain capitalist domination. The surplus population consists of chronically unemployed outsiders who sometimes engage in deviant behaviour, including crime (Spitzer 1975; Lilly, Cullen and Ball 1989; Hinch 1983). Greenberg (1977), for his part, explored the sources of delinquency among young people, assembled a comprehensive reader in Marxist Criminology (Greenberg 1993), and contributed to the debate within and outside Marxist Criminology (Greenberg 1976).

Generally the activism and radicalism of the 1960s brought a renewed interest in Marxism in criminology, particularly the early work of Bonger (1916). More than anyone else, Bonger led the way in developing theories of criminal causality concerning both working class and white collar crime (Lilly, Cullen and Ball 1989; Welch 1996; White and Haines 1996; Bonger 1916), and drawing the linkages between social inequality and crime (Peterson 1995). Bonger was not, however, immune to criticism. Amongst other things, he was criticised for economic determinism, an accusation that has been repeatedly levelled against Marxists in Critical Criminology, along with a failure to grasp the importance of gender (Messerschmidt 1993; Messerschmidt 1988).

The early Radical or Critical Criminology to which Marxism contributed represented a qualitative break with traditional criminologies in that it went beyond the legal definition of crime, emphasised the reintroduction of historical materialism and class analysis, and focussed on class and racial disparities in the creation of law and criminal justice. The contribution of Marxism is acknowledged by Michalowski (1996), who argues that what distinguished 1970s Critical Criminology was

its sometimes explicit, and often implicit, interweaving of Marxian class analysis with a macro-sociological version of symbolic interactionism, and its pursuit of an *activist* criminology that could address the role

of macro-social forces such as capitalism, racism, sexism, and neo-colonialism as causes of crime and impediments to justice. [...] By framing the class structure and the institutional arrangements of 20th century corporate capitalism as causal forces in the labeling of crime and criminals, radical criminologists linked social constructionism with a critique of domination as manifest in the political-economic framework of the nation and the world. At its best, this analysis helped reveal the subtle dynamics of race, class, and gender oppression in the making of laws and the administration of justice (Michalowski 1996: 11–12).

This emphasis on the role of class and capitalism in understanding criminality has oftentimes been disparagingly dismissed by its critics as “crude Marxist Criminology”, however economic determinists were relatively few in number and have been largely bypassed by broader Marxist visions. Some perceived Marxism to be such a threat that they tried to minimise the role it played in the 1970s. Mason (1996: 30), for instance, claimed that the euphoria with Marxism was short-lived, although he begrudgingly admitted that Marxists provided criminology with “valuable intellectual tools”.

White and Haines argued that since the key aspect of Marxist Criminology is that crime is analysed as an outcome and reflection of class divisions, the focus is on power and inequality (White and Haines 1996). The Marxist analysis of capitalist society is rooted in an understanding of social and economic power, particularly the notion that power is concentrated increasingly into fewer hands. There is indeed a ruling or capitalist class and a state that is not neutral, but operates in the interests of capitalism. Marxist Criminology widens the traditional focus on street crime, toward the crime perpetuated by the powerful. While acknowledging the significance of working-class criminality, Marxist Criminology argues that the crimes of the powerful have a much greater economic and social impact than street crime. It also challenges the way the state represses the working-class, notably public order policing and policing class conflict.

Applying this analysis, White and Haines (1996) are of the view that the surplus population thesis is a crucial concept, “in that much of the existing forms of criminalization and public concern with street crime are seen to be targeted at those layers or sections of the population which are surplus to the labour market and the requirements of capitalism generally” (White and Haines 1996: 102). As well, they pay attention to the way in which working-class juveniles have been subject to criminalization.

### “Newness” in Critical Criminology Excludes Marxism

With the collapse of Stalinism, the demise of the communist parties in the West, and the supposed “end of socialism”, Marxism waned within criminology in the late 1980s (White and Haines 1996). The 1990s emphasis on new trends and a gravitation towards postmodernism produced a movement away from class analysis, old-fashioned theories like Marxism within criminology, and many other disciplines within academia. The repeated incantations of crisis within Critical Criminology and ennui over where it was heading resulted in the clarion call being a turn towards new trends.

The movement towards newness started with *New Directions in Critical Criminology* (MacLean and Milovanovic 1991b), which dealt with Left Realism, Feminism, Postmodernism, and Peacemaking. A rejection of the eclecticism of early Critical Criminology and a desire for a more unifying theoretical stance also explains the preference for new developments. As the Editors explain, “while criminology has a history of rich theoretical diversity, much of that diversity appears to be both contradictory and one-sided” (MacLean and Milovanovic 1991). Although each of the four new directions is distinct, each draws upon each other theoretically and methodologically, and therefore they are complimentary. Apparently there is no such complimentary with Marxism or other discarded theories. The new trends are now considered to be the current trends and the only legitimate “future” in criminology, thereby excluding every other paradigm (DeKeseredy and Schwartz 1996; Nelken 1994).

The foundations for this theoretical transformation can be found when Critical Criminology became influenced by post-structuralism, symbol theory, and culture studies of deviance, which “increasingly moved the left wing of criminology in North America away from ‘plain Marxism’ and structuralist analyses of political-economic forms” (Michalowski 1996: 12–13). Barak is of the view that structuralism and instrumentalism – which were historically contingent forms of explanation – lost their appeal and supporters in the late 1980s partly due to the development of post-structuralism and dialectical and/or cultural materialism, and were no longer viable as organising frameworks (Barak 1994–1995). Others, like Thomas and O’Maolchatha (1989), note the move away from Marxism towards deconstruction and postmodernism without attempting to understand the reasons underlying this shift.

Much has been written from a postmodernist perspective within Critical Criminology (Hunt 1990; Milovanovic 1989; De Keseredy and Schwartz 1996; White and Haines 1996; Thomas and O’Maolchatha 1989; Henry and Milovanovic 1994; Manning 1989, 1990; Kelter 1992; Garza 1992; Lange 1992; Hamm 1991) and this is not the place to review that literature. However,

postmodernism has certainly attained the pre-eminent status of “meta-narrative” within the new and current trends as the near-hegemonic theoretical standpoint within Critical Criminology. Criminology conferences feature more papers presented from the viewpoint of postmodernism, feminism, or Foucaultian analysis than from a Marxist analysis or other critical basis (Chan 1996; Russell 1997). Other Critical Criminologists question the compatibility of deconstruction with Radical Criminology’s assumptions, and the possibility of developing an integrated critical analysis (Lynch, Lynch and Milovanovic 1995; Morrison 1994). Muncie, McLaughlin and Langan (1996) suggest that postmodernism’s rejection of “totalizing theory” and of objective criteria for establishing truth and meaning may be nihilistic and conservative:

For example, at present it is far from clear how a total rejection of established concepts might further an understanding of the relations between criminalization, poverty, inequality, racism, sexist violence and repressive state practices. [...] Whilst we may sympathize with the postmodernist objection to the colonization of the intellectual world by a single all-encompassing meta-narrative, does this also mean that we can dispense with the imaginative purchase provided by critical and Utopian visions? (Muncie, McLaughlin and Langan 1996: xxiii).

In the same vein, Schwartz (1991) criticises postmodernism because it is incomprehensible as well as nihilist, and has no immediate relevance to our daily life. Moreover, he raises the question that if deconstruction results in categories being merely fictions, “do we lose the ability to speak out against sexism, racism and classism?” (Schwartz 1991: 121) So while a deconstruction of prisoners’ tattoos may be stimulating and important to some (Seaton 1989), to others only “old-fashioned” Marxist analysis can shed light on and fully analyse the more pressing issues affecting prisoners, crime, and criminal justice, and provide prescriptions for transcending oppressive conditions. Closely related to postmodernism, although notionally distinct, Foucault’s analysis generated a rich corpus of criminological literature, particularly concerning issues of knowledge, power, and governance (Thomas and O’Maolchatha 1989; Hunt and Wickham 1994). But the turn to Foucault also represents a pronounced turn away from Marxism. Even Hunt (1990), an admitted Foucaultian/Postmodern theorist, has to admit that the “end of history” announced by postmodernism is “nowhere more evident than in Foucault’s displacement of Marxism’s concern with the complex connection between state, class and power by an (under-theorised) new disciplinary society in which capitalism, quietly, disappears” (Hunt 1990: 17). Some, like Scraton and Chadwick (1996), however, have not seen the obvious contradiction between Marx and Foucault, and draw playfully upon both. They seek

to construct a relativist framework for critical analysis whereby institutionalisation and structuring of classism, sexism, heterosexism and racism result in relations of dominance and subjugation achieving structural significance (Scruton and Chadwick 1996).

Feminist theory has fundamentally influenced Critical Criminology, and this has been one very welcome development. Unlike Foucaultian and post-modern analysis, feminism complements rather than contradicts Marxism and related theories, although much of feminism uses postmodernism. Feminist criminology has made great strides in developing critiques based on notions of gender and power (Alder 1995; Laster 1996; Thomas and O'Maolchatha 1989; Beirne and Messerschmidt 1995; Schwartz 1991), and discourse analysis. Feminism has, however, fragmented in criminology into Marxist/socialist feminism, which we shall analyse in the next section, post-modern feminist criminology, as well as a number of other sub-theories (Young 1996).

Notions of connectedness, caring and mindfulness, as well as the promotion of a world with less violence, crime, and oppression, are some of the main constituent elements that underpin Peacemaking Criminology (Friedrichs 1991; Beirne and Messerschmidt 1995; Hallett 1992; Opels 1994; Pepinsky and Quinney 1991; Thomas and O'Maolchatha 1989). It asks that

we recognise our 'oneness' with the world around us. It views crime as essentially a consequence of a general violence toward and separation from people due to the ways in which our society responds to offenders. [...] Ideas such as participation, peacekeeping, harmony, co-operation, reconciliation, and charity are seen as desirable and more beneficial than those of an authoritarian nature, such as retribution, repression or confinement (White and Haines 1996).

Although there is much appeal and potential in peacemaking analysis, absent a class analysis rooted in historical materialism and a global critique of capitalism, it falls prey to pacifism, liberalism, and philosophical idealism.

Largely inspired as a response to a supposed "Left Idealism" promoted by some strands of Marxism and the perceived inability of the left to take crime seriously, Left Realism emerged as a distinct offshoot within Critical Criminology, which provoked a series of debates (Muncie, McLaughlin and Langan 1996; Ratner 1987; De Keseredy and Schwartz 1996; Brownstein 1991). However, while some in Critical Criminology still work within a Left Realist framework, by the 1990s it had lost much of its attraction.

Victimology is now one of the more popular theories in Critical Criminology. There was some belief that Critical Criminology and Victimology had a great deal of potential for reciprocal influence (Friedrichs 1983),

and indeed Left Realism was to a great extent based on Victimology. Phipps (1986) also saw the common links, and argued that Radical Criminology could be enriched through the empirical research of victimisation surveys. Both views have considerable merit since they reject an isolated focus on the victim by analysing the role of the victim within the criminal justice system, particularly what the victim represents and symbolises in that system. The better argument is that rather than needlessly narrowing the ambit of Critical Criminology, we should be extending it, as well as Victimology, into new areas (McShane and Williams 1992).

Soon after the proclamation of the new trends a further paradigm shift questioned the very existence of Critical Criminology. At the 1992 meeting of the European Group for the Study of Deviance and Social Control, the eight panellists claimed that “the project of Critical Criminology does not really seem to fit any more the post-1984 world” (van Swaaningen and Taylor 1994: 183).

By the end of the 1980s, argues O’Reilly-Fleming (1996), Critical Criminology had been “exhausted at both theoretical and empirical levels,” and therefore there was a need to move beyond it (O’Reilly-Fleming 1996a: vii). Although early Critical Criminology had some commitment to Marxism, Post-Critical Criminology’s hostility to Marxism is absolute. For them, the collapse of the Soviet Union and the Eastern Bloc dealt a substantial blow to much of the Marxist underpinnings of a significant stream of radical criminological thought. They criticise Critical Criminology for having mortally wounded itself through internal power struggles, although many in Critical Criminology acknowledged and even celebrated its eclecticism and vibrant debates as signs of a pluralist and healthy movement. Post-Critical Criminologists argue that Critical Criminology’s decline reflects the strong divisions that emerged within the field and that produced a fractured discipline, which is in dire need of reconciliation to move beyond the current malaise. By the 1990s, Critical Criminology was supposedly dead, alongside Marxism and socialism. A Post-Critical Criminology was therefore thought necessary, one that draws upon several schools of criminological thought, including Peacemaking, Socialist Feminism, Postmodernism, and Justice Studies, but not Marxism (O’Reilly-Fleming 1996b).

The questions remaining, however, are whether reconciliation is possible or even desirable, and if a Post-Critical Criminology which is as fractured as its precursor, is capable of giving birth to such reconciliation. There has been much discussion recently about the feasibility of a unifying criminological perspective; but the better view would seem to be that the pluralism, which has infused Critical Criminology with a plethora of radical critiques, should continue to be embraced:



My own view is that a plurality of perspectives and approaches has the present potential to reach the largest number of people, and to bring people into a critical criminologist perspective from quite different routes. Furthermore, the pluralism of critical criminology promotes an appropriate division of labor, insofar as those working with the different critical criminological perspectives tend to focus on different kinds of problems and issues (Friedrichs 1996: 123).

Critical Criminology, especially its early version which proudly included Marxism, still has significant theoretical and analytical potential, and is far from being a spent force. As Schwartz argues, Critical Criminology is “infused with more energy and exciting alternatives than at any point in the past 20 years” (Schwartz 1991: 123), in contrast with the bleak Post-Critical Criminology prognosis. Moreover, Critical Criminology is sufficiently alive and healthy to allow the development of new ideas and uncharted areas of exploration.

The stream within the Post-Critical Criminology agenda which embraces disparate and contradictory theoretical standpoints is exemplified by Schissel (1996), who seeks to marry such divergent perspectives as Marxism, Left Realism, Feminist Criminology and Foucault. But this is a minority position. Mainstream Post-Critical Criminology is not concerned with attempting to bridge contradictory world views, but rather with overcoming fragmentation by promoting a narrow, unifying and homogenous theoretical stance centred on postmodernism. While postulating that these theories can be synthesised, Schissel admits that postmodernism underscores his approach. This demonstrates that Post-Critical Criminology is a mere variant of pre-existing Postmodern Criminology, and is simply an attempt to elevate it to hegemonic status within left criminology.

### **The Continuing Relevance of Marxism**

Despite what the critics may say, Marxism continues to be relevant to the contemporary world, given the ongoing crisis of capitalism which includes criminality and anti-social behaviour, its ability to analyse moves towards a more authoritarian state, and its overall penetrating analysis of socio-economic and political phenomena. As Parekh explains:

Marxism represents the greatest emancipatory project in the history of Western and even non-Western thought. No other body of ideas has so closely identified itself with the poor and the oppressed, so passionately championed their cause, devoted so much attention to a systematic study of the causes of their predicament, and dared to construct a vision of

the world free from most man-made suffering. The integrity and future of Marxism are therefore a matter of deep philosophical and political concern to all interested in human well-being and progress (Parekh 1992: 103).

Nothing has fundamentally changed in the nature of world capitalism to invalidate the relevance of Marxism today. If anything, the unprecedented level of the chronic crisis of capitalism has validated the Marxist critique of capitalism, and confirmed the urgent need for a critical understanding of capitalism. In opposition to the plethora of post-left enterprises, Critical Criminology needs to “start from the premise that the critique of capitalism is urgently needed, that historical materialism still provides the best foundation on which to construct it, and that the *critical* element in Marxism lies above all in its insistence on the historical specificity of capitalism” (Meiksins Wood 1995: 2). As Petras and Polychroniou (1996) argue, the biggest and most immediate task for Marxists is to reinvigorate the belief in the validity of Marxism. Marxism is still “the most useful perspective in understanding the major structural changes taking place in the capitalist world economy,” and it must still analyse great changes within contemporary capitalism – including crime, criminal justice, the state, and all of the other areas of criminological analysis – or its conceptual framework will become irrelevant (Petras and Polychroniou 1996: 100). The recent renaissance in Marxist theorising provides Marxists in Critical Criminology with a rich body of analytical tools to apply in criminology (e.g. Polychroniou and Targ 1996; Callinicos 1995; Belliotti 1995; Reiman 1990, 1995; Mandel 1992; Smith 1996; Kuhn 1995; Smith 1994).

While recent transformations within Critical Criminology give the erroneous impression that Marxism has no longer a place within left criminology, others, including very recent voices, are of the firm view that it is still relevant to a revitalised and strengthened Critical Criminology. As Muncie, McLaughlin, and Langan propose:

for some the key task remains that of constructing a framework which is capable of locating discrete and specific instances of criminalization within a general theory of the social order. For them, if critical criminology is to remain relevant and ensure that theoretical production and political practice act in tandem, it must remain true to a Marxist heritage and continue to reassert the centrality of primary determining contexts: ‘race’, class and patriarchy as being crucial to understanding the meaning of new social formations and post-industrial relations of production (Muncie, McLaughlin and Langan 1996: xxiv).

Similarly, Welch (1996) is of the view that Marxism is still one of the relevant theoretical traditions within Critical Criminology, along with other interpretations of crime, including conflict, materialist, dialectical, feminist, postmodernist and socialist frameworks (see also Schwartz and Friedrichs 1994).

Applying the Marxist method, Reiman (1995) has analysed the ethical concepts of criminal justice, such as guilt and punishment, by rooting it in an analysis of materialism, modes of production, capitalism, ideology, and law. He traces the criminal law to its source in exchange under capitalism, and concludes that the Marxist critique morally condemns criminal justice under capitalism, since it wrongly punishes people who do not deserve to be punished (Reiman 1995, 1990). In the same spirit, Miller and Bryant (1993) critique social ecological theories of crime for failing to acknowledge the class-based origins of formal social control and the relative autonomy of the police. They address the neglected class issue by integrating social ecological and critical theories concerning police behaviour, drawing heavily upon the Marxist criminological literature of the 1970s, and noting that little empirical research applies political economy to law enforcement. They argue that empirical data reveal significant variance in police behaviour, thus supporting the pertinence of structural Marxism in police behaviour theory (Miller and Bryant 1993). This research confirms that the 1970s literature of Marxist Criminology is still a rich resource for contemporary theorisation.

Another illustration of work using the Marxist method is that of Lynch (1987). He claims that the popularity of Marxism dwindled in criminology in the late 1980s, which can be linked to “the reluctance of Marxists to specify theoretical positions that are ‘testable’ or ‘empirically verifiable’” (Lynch 1987: 110). And so he argues that “a qualitatively oriented Marxist criminology based on Marx’s theory of surplus value can be used to specify both theory and measures which are uniquely Marxist, and which do not succumb to empiricism” (Lynch 1987: 110). He does so by drawing upon volume I of *Capital* to specify macro-level theoretical analyses that explain the aetiology of crime and punishment using the theory of surplus value. He admits that his analysis is “insufficient in the absence of theoretical reasons for believing that there is a link between the extraction of surplus value and crime or imprisonment rates” (Lynch 1987: 119), although he notes that work is being done in this area. While some will be quick to deride his effort as being economic determinism, it should rather be welcomed as an attempt to develop empirical research using Marxist analysis, which has been lacking in Marxist Criminology. The label of “economic determinism” has even less merit since most recent Marxist Criminology has moved away from instrumental Marxism towards structural Marxism. As Lilly, Cullen and Ball

explain, “structuralism locates the basis of social control factors such as law in class *relations* generally rather than asserting that it was entirely within the total, conscious control of the capitalists at all times” (Lilly, Cullen and Ball 1989: 178–179).

Similarly, Friday (1987) has used a Marxist analysis in seeking to understand many of the traditional areas of criminological research. He emphasises that Marxism allows us to think comprehensively and contextually, by assessing phenomena through the prism of the broader historical and societal context. Another analytical tool of Marxism, the dialectical method, allows the study of crime on a different level of analysis. In this method criminal behaviour is rooted in the individual’s socially-constructed intellectual and emotional world, and emerges from a series of causal connections with origins in social structure which are foremost at the political and economic levels. Accordingly, Friday (1987) argues that crime is linked to the contradictions of capitalism.

In Australia, White (1996) has made a concerted effort to employ Marxist analysis in his work. Using a class analysis to understand the relationship between class and criminality, he argues that typical patterns of crime are associated with specific classes because class position embodies diverse material circumstances and capacities of people to marshal economic and political resources, and this in turn depends upon one’s relationship to the means of production. In other words, the wealth and power one has determines the kind of crime in which one might engage (White and van der Velden 1995). This kind of analysis enables us to understand the difference in visibility, apprehension, prosecution, and punishment between crimes of the powerful and crimes of the less powerful.

There is a need to broaden the definition of crime, White and Haines (1996: 106) argue, by establishing wider criteria relating to the nature of offences, including “activity which interferes with one’s human rights, including things such as racism, sexism and so on. Ultimately, Marxists argue that wherever economic exploitation exists, a crime has occurred”. Although some radical historians saw crime as emerging from poverty and an unjust criminal law (e.g. Garton 1991), White and Haines believe that crime cannot be reduced to a simple equation with poverty or alienation. As to the content of substantive criminal law, not all such laws are “class” laws, since some deal with class-neutral matters such as rape. Power therefore “may not be totally encapsulated or explainable in class terms. Power and powerlessness can exist in a sense outside the class structure, such as the power of men over women” (White and Haines 1996: 109). This analysis demonstrates the need to supplement Marxist analysis in criminology with analysis based on feminism, racism, and other forms of oppression.

The state in every major Western capitalist country is undergoing a severe fiscal crisis, which directly influences the criminal justice system and has profound repercussions for the way we analyse the nature of the state (which need theoretical exploration). The state can no longer use welfarist measures to deal with the social consequences arising from capitalist restructuring, and Marxist Criminology can offer unique insights into these transformations. As White and Haines argue: "Harsher 'law-and-order' strategies will thus only make worse the political isolation, socio-cultural alienation and economic immiseration of the marginalised layers of the working class, thus causally feeding the very criminality which the campaign for enhanced social control is designed to overcome" (White and Haines 1996: 106). Certainly, in light of the sweeping cutbacks implemented by Western governments around the world, the repercussions of such policies in terms of increased anti-social behaviour, alienation, and criminality is a rich field of investigation for Marxist theorists as are the more specific instances of state authoritarianism and militarisation in policing and sentencing.

Given the centrality of the state in the modern era, Critical Criminology and Marxist Criminology must continue to develop a theory of the state. As Ratner suggests: "A sociology of the state paradigm must become the epicentre of a radical criminology – the state not as disinterested mediator or a mere artefact of class struggle, but as a concrete fulcrum around which a rejuvenated and enlightened criminology can contribute to the accomplishment of social justice" (Ratner 1987: 5). More specifically, the countless connections between the state, law, economy, and ideology need to be explored, as well as social control, which remains a central feature of Western capitalism and its criminal justice system, but which should be critiqued primarily from the perspectives of race, class, and sexism.

The gravitation towards private policing and private prisons provides yet another opportunity for Marxist analysis. This movement is rooted both in the fiscal crisis of the state as well as the worsening economic crisis of capitalism, particularly the need to harvest new markets due to the falling rate of profits. Theoretical debates are unfolding in this area between Marxist and postmodern perspectives (Russell 1997; Nina and Russell 1997), particularly the extent to which the proliferation of these private mechanisms influence the centrality of a strong unitary state. The negative impact of private prisons upon prisoners, the way in which private prisons and private police represent an "out" for a crisis-ridden capitalism, and whether the re-emergence of private policing can best be understood within the notion of dualistic or pluralistic policing are some of the many challenging issues being explored by Marxists in this area. Furthermore, Marxist Criminology has always been concerned not only about the crimes of the powerful, but the crimes of the

state; and the expanding use of these crimes across the globe as an instrument to curtail dissent and threats to capitalist rule also needs to be analysed. As White argues, the “legitimate” violence of the state – crime of the state – is directed against “those with the least social power and the fewest economic resources” (White 1996: 33). They also suffer considerably from a lack of protection for social violence, and the “law and order” discourse is directed primarily at this same sector.

Research is also underway in the area of political economy, which featured prominently in earlier periods of Critical Criminology. Political economy “employs Marxist theory to understand the relationship between the political and economic realms of a capitalist society. This approach advances our understanding of why certain behaviours are criminalized by the state while others are not, and how a capitalist economic system itself generates certain class patterns of crime” (Beirne and Messerschmidt 1995: 530). In a recent effort, White (1996) employs political economy to analyse fear, which he argues has been sold as a commodity: “the sale of security doors, window locks, private security services, surveillance cameras and the like thrives upon images and perceptions of immediate crime risk.” Employing class analysis, he believes that the working-class live in fear

particularly of economic insecurity – as a matter of course. It is a structural condition of working-class life. Crime that impinges upon their relatively meagre personal property is particularly threatening. The structural vulnerability of various strata and groups within the working class (such as the elderly, ethnic minorities, and women) means that campaigns promising more coercive safety measures will have a strong resonance (White 1996: 32).

According to this analysis, street crime is far less threatening and damaging than suite crime because the economic and social impact of white collar crime far outweighs that of the subsistence criminality of the working-class. As for the cause of this working class criminality, he argues that it is due to the relative powerlessness of individual workers:

With limited means at their disposal to effect crime (unlike crimes of the powerful), their crimes are invariably direct and personal and sometimes physically coercive. Because of this they are also the most easily detected and controlled. Our gaols are filled with thousands of unemployed, marginalised men and women (White 1996).

This kind of penetrating analysis based on political economy can help us to critically understand a range of criminological phenomena, particularly social and economic inequalities (Sims 1997), prison labor reprivatization

(Weiss 2001), private policing (Nina and Russell, 1997) and private prisons (Russell 1996), crimes of the state, the law and order hysteria, and preventable workplace deaths.

Gender, class, and race are often treated as separate concerns, even by Critical Criminologists, but they overlap to a large degree, and there is a need for Marxists to integrate more comprehensively these levels of analysis into their critique. Rather than privileging difference, as do postmodernists, we need to emphasise the unifying components between various elements of oppression. Marxist and socialist feminism has already generated a wealth of critiques mobilising these various perspectives. The Schwendingers in particular have been acclaimed for their groundbreaking approach to understanding gendered sexual violence, arguing that capitalist societies have the highest rape rates because of inequalitarian gender relations (Schwendinger and Schwendinger 1983), although their analysis has been sharply criticised (Messerschmidt 1986). Messerschmidt has also made a contribution by seeking to explain why criminal behaviour is committed primarily by men and boys, although from a revisionist standpoint. There are many opportunities for Marxism to use its analytical powers on issues of gender and sexism, and there is a need for more theorisation in this area.

Critical Criminology has indeed been historically male, white, and middle-class, and there is a need to bring more people of colour into criminology (Shwartz 1991: 124) as well as scholars and activists from the working-class. But more than that, we need to apply Marxist theory to broaden our understanding of race, racism, and neo-colonialism as they intersect with criminology. Neo-colonialism is a determining context of contemporary racism, which still influences many aspects of the criminal justice system, as is evidenced by the disproportionately high incarceration rates of indigenous and Black populations in a number of Western capitalist countries. Racism has to be connected to class and the relations of production (Scruton and Chadwick 1996; Mandel 1996) to properly contextualize race and provide prescriptions for social change.

One of the most promising recent developments in Critical Criminology has been in the area of providing a unified theory of social justice employing notions of humanism. Drawing from the socialist humanism of Fromm, an avenue for advancing Critical Criminology towards social justice has been articulated by Anderson and Quinney (2000). They present a more humane way of understanding and dealing with crime and criminals, and point toward a society in which crime and violence play a minor role. This view furthers the development of Peacemaking Criminology, and can provide important new theoretical insights for decarceration strategies, particularly reintegrative shaming, conferencing, and other progressive alternatives to imprisonment.

The realization of peace propounded by Anderson and Quinney (2000) – based on notions of kindness, compassion, and living everyday life with a sense of interdependence – provides a positive peacemaking (Quinney 1995), and allows for further Marxist theorization. Indeed, the pursuit of social justice through the lens of Marxism (Hill 2000) must be brought back onto the agenda.

Arrigo (2001) has also presented a compelling proposal for Critical Criminology to develop an integrated theory of social justice to promote peace, humanism, and community. Similarly, van Swaaningen (1999) developed a moderately pro-postmodern reconstruction of Critical Criminology based on social justice, while setting forth many exciting proposals for investigation and praxis. As I have argued elsewhere (Russell 1997), however, postmodernism hinders rather than fosters this necessary process. This does not mean that postmodernism is of no value to Critical Criminology. Affirmative deconstruction and reconstruction (Henry and Milovanovic 1996) are useful devices, and indeed many Marxists were employing them long before postmodernism became fashionable. The recent attempts to transform affirmative deconstruction into Constitutive Criminology is therefore unnecessary, and gives too much unwarranted credence to the postmodern project.

Social justice and humanism have always been at the heart of the Marxist project. Yet there is an urgent need to distance ourselves from the horrors of those countries and parties which misappropriated and discredited Marxism, in part by developing a humanistic and humane non-postmodern Marxism. Marxist theorizing, although necessary, is not sufficient. Ultimately what is important, as Marx suggested, is to change the world. Marxism aims at that, but postmodernism does not. At the risk of oversimplification, this is ultimately why the modern and the postmodern (Barak 1998a, b, c) are incompatible.

Critical Criminology was born out of the political radicalisation that swept the globe in the 1960s, which promoted the idea that radical theory and practice were inextricably interconnected. Critical Criminologists have played an interventionist role in supporting marginalised groups, particularly victims of miscarriages of justice, prisoners, indigenous people, young people, and victims of police brutality. Marxists in Critical Criminology, in particular, argued for a dialectical interaction between theory and praxis (Bourdieu 2002; Russell 1997). Theory devoid of action will be unable to transform and transcend the unjust social conditions which Marxism seeks to eradicate. Ratner (1987) is a particularly passionate advocate of the crucial importance of praxis. He argues that:

We must find ways to overcome the contradictions between petit-bourgeois academic careerism and the requirements of political practice.



[. . .] There are no books worth writing and none that deserve to be read if they do not move us toward the fulfilment of a just society, upheld by human, democratic, and popular social control. That is the essence of a socialist criminology (Ratner 1987: 8).

Postmodernism and its allies are particularly ill-equipped to rise to this occasion, due to their obsession with theory. Thus, it is incumbent upon Marxists in Critical Criminology to straddle the seemingly impenetrable wall between theory and practice by creating alliances with groups and individuals outside academia who share a transformative radical vision of social change.

### **Conclusions**

The present relative lack of enthusiasm for Marxism within criminology and Critical Criminology is, in many ways, a reflection of the global political climate sweeping the world today. In the absence of widespread working-class confrontations, and due to the widely accepted belief that socialism is dead and the meteoric rise of postmodernism and related worldviews, Marxism no longer has the same attraction it once enjoyed. This is a transitory phenomenon, however. Although historical prediction is difficult, it can safely be asserted that once the crisis of world capitalism deepens, many workers, students, and intellectuals will once again return to Marxism to understand and transcend that crisis and seek socialist solutions to the insoluble contradictions of capitalism. To achieve this, workers, social movements, and intellectuals must come together (Bourdieu 2002).

There is some evidence that this movement towards Marxism is beginning to emerge, particularly as a result of the global anti-globalization movement and a recent re-radicalization. Since the end of 1999, anti-globalization protests have swept the globe and are now a feature of the political landscape of many countries (Seoane and Taddei 2002). This radicalisation has brought about what Morin (2002) terms “embryos of civil society and world citizenship,” as well as “anthropolitics (politics of worldwide humanity) and a politics of civilization” (Morin 2002). In the United States in early 2002, Chomsky gave a series of talks on the West Coast, and is of the view that the American Left has never been more alive (Robitaille 2002). In fact, there are signs of micro and macro counter-hegemonic struggle across the world. In this promising context, there are good reasons to be optimistic, and there is every indication that Marxism is slowly coming back onto the political agenda worldwide.

The challenge for Marxists in criminology and Critical Criminology is to advance and strengthen the project of Marxist analysis. We need to transcend

the narrow pragmatism and reformism emulated by so many criminologists who consider themselves to be “progressive” (see Hogg 1996; Carrington and Hogg 2002) and “demand the impossible” – a counter-hegemonic humanistic Marxist analysis to help bring about a socialist future. A dialogue must be maintained between Marxists and the various schools of thought within the new Critical Criminology and Post-Critical Criminology, which can only enrich each of our respective traditions. Despite the Post-Critical Criminologists’ fear of vigorous exchanges, it is only by debating and developing our theoretical positions that we can go forward. Moreover, there have always been and still are some serious Marxist criminologists in the former Soviet Union and the Eastern European states, and they too must be brought into the debate, along with criminologists in other parts of Europe (van Swaaningen 1997) as well as organic intellectuals and activists in the areas of criminal justice, corrections, and victims rights.

Despite the cynical pronouncements of those who have prematurely buried Marxism, there is great hope for the future of Marxism in Critical Criminology. As the hallucinatory effects of postmodernism wear off along with the illusions many still harbour that capitalism has a future, Marxism will once again be able to play the pivotal role it rightfully deserves in Critical Criminology. The urgent challenge facing Marxists in Critical Criminology is to continue to develop their theoretical critiques, promote the relevance of Marxism, and engage in transformative praxis. Not only “Another World is Possible,” the spirit and slogan of the World Social Forum held in Porto Alegre Brazil in January 2002, but “Another Revitalized Marxist Criminology is Possible . . . and Necessary.”

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