

# Shifting Sociological Paradigms and Working Class Criminality\*

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## Abstract

An attempt is made to explain working class criminality through the shifting approaches of different sociological paradigms. It then tries to link up the political response that parallels each sociological paradigm. Overall, this essay gives an account of the intimate connection that exists between the ideas we have and the sort of life that we lead and it is in this light the criminality of the working class is explained.

## Introduction

Like many other sociological subjects crime has been the focus of controversy over the definition of its subject matter. Most modern criminologists agree that crime is behaviour which is defined by the legal codes and sanctioned by the system of criminal justice. However, the rapid growth of liberal sociological empiricism and the interest in white collar criminality have given rise to a methodological and an ethical criticism of the traditional definitions. The positivistic fervour of criminologists such as Thorstein Sellin called for universalistic categories that transcend the legal and political boundaries as a necessity imposed by logic of science. The call was for scientific explanations devoid of moral content identifying the natural properties of human behaviour, ostensibly value free. It would be accurate to say that this traditionalist definition of crime is used by most contemporary criminologists. In our examination of working class criminality, it will be necessary to restrict ourselves to this popular definition and the expositions built around them for an examination of the phenomenon in question<sup>1</sup>.

Since the end of the nineteenth century psychological and sociological studies of criminal behaviour have been conducted within a more or less positivist framework. The distinguishing characteristic of criminological positivism has been its devotion to practice.<sup>2</sup> Just as the physical sciences,

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\* I have preferred the popular sociological term working class rather than the pejorative term lower class for the purposes of this essay although the use of either term does not substantially affect the main thesis

1. Quinney (1970) writes "Conduct is not regarded as criminal unless these conditions are present... (1) the label of crime has been officially imposed on conduct; (2) by authorized persons and agencies (3) of a politically organized society. It is necessary to note the limitations of this definition. In recent years criminologists have begun to systematically reject the use of official data altogether as measures of delinquency. It is now a matter of record that there is clear evidence of class and racial bias in the administration of law" Richard Quinney (ed), *The Problem of Crime*, New York: Dodd Mead, 1970 pp. 5-6. Regarding the controversy over definitions of crime, see Herman and Julia Schwendinger, "Defenders of order of Guardians of Human Rights" in Ian Taylor, Paul Walton and Jock Young (eds). *Critical Criminology* London, R.K.P. 1975 pp. 113-146.

positivism has been its devotion to practice.<sup>2</sup> Just as the physical sciences criminology had to develop accurate and calculable units of crime as preliminary to generalization. The immediate and obvious result was to affect criminal statistics, giving the details of both the quantity and the types of crimes committed. Though it has long been recognized that criminal statistics in themselves do not indicate the true volume of crime—due to a variety of reasons, they have nevertheless been treated as ‘straight’<sup>3</sup> by many. Although most criminologists who work with criminal statistics are aware of the great sources of variability that creep into them, they have mattered very little in the explanations that they offer of criminal behaviour as such.<sup>4</sup> Basing themselves on these statistics, they have worked out the assumption that crime is essentially a youthful, masculine, lower class activity—an assumption clearly born out of hard facts. In the criminal statistics lie the topical and political debate as to the significance of the crime rate—a rate which shows an extensive amount of crime among the deprived, the poor, the minority group member and, in general, the working class.<sup>5</sup> Both in developed industrial as well as developing agrarian societies criminal statistics show a striking preponderance of lower class individuals both male and female.

Orthodox criminological formulations have been built upon the summations derived out of criminal statistics and the concomitant statements made on them by responsible experts and the media. Naturally, therefore, there is a preponderance of working class elements in the statistics that need explanation. For most part it was a criminology that sought casual explanations for the working class criminality.

### THE CRIMINAL IS INTENTIONALLY WICKED: CLASSICISM

Classicism takes it for granted that criminal statistics measure offences against the social contract entered into by the volitional conduct of all rational men. Man is self seeking and liable to commit crime. He is in need of care, and deviants are definitely missocialized or undersocialized beings of an otherwise healthy organism—the social system. Crime is a freely willed activity occurring when man’s passions over-reach his reason. Classicism characterises rule breaking behaviour as irrational and pathological and such men are unable to hold on to the beneficent social contract because of personal inadequacies. The criterion of rationality is invariably the utility of

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2. It was obviously a Comtean view of positive science—a science of the future and the task of the scientist was to hasten the march along the civilizing road,
  3. Hall, Jefferson, et al, *Policing the Crisis*, Macmillan, 1978
  4. There have been many improvements suggested to reformulate criminal statistics but they pertain very little towards better explanations. Stanton Wheeler, for example suggests that additional statistics be collected on (a) complaining witnesses, (b) social characteristics of the community, (c) nature of the police system. I find it hard to see the value of such a mammoth task if the paradigm of explanation remains the same. See Stanton Wheeler, “Criminal Statistics: A Reformulation of the Problem” *Journal of Criminal Law, Criminology and Police Science*, Vol. 48 pp, 17-24, 1967:
  5. For a criticism of statistics as indices of rate production see Kitsue, J, I and A. V. Cicourel, “A Note on the Uses of Official Statistics” *social problems*, 11, pp131-9 1963.

the act. All men are equal by virtue of their ability of reason but they are unequal as members of society. Radzinowicz says, "Though men had been equal in a state of nature, they could not be so in society: authority and subordination must remain although they may cease to be abused"<sup>6</sup>

Seen, thus, crime should be evenly spread throughout the social structure and hence self report studies and white collar crime would come as no surprise to the classicist. But what he is embarrassed of is the sheer enormity of working class criminality. The answer given in the nineteenth century, perhaps valid today, according to many conservative politicians and laymen, is that those who are at the bottom of the social structure do not have a sufficient stake in the social contract to justify a rational commitment to it. In pure classicism such an explanation would have been satisfactory only for the small part of the lumpen proletariat divorced from the propertied society but it only partially explains the preponderance of working class over-representation in the statistics. For the working class does have a real stake in the social order, "however much it may be that conservative law and order campaigns are a sham behind which particular interests advance themselves and proclaim themselves to be acting in the interests of all."<sup>7</sup> It is also a simple fact that majority of working class crimes are intra and not inter in their choice of target area of activity and distribution. Moreover, crime is not the choice of many even in a society where poverty is widespread where the worker finds it still difficult to budget after 'decent' employment. The classicist cannot explain this anomalous position.

The neoclassicist would resolve the issue by drawing on the work of labelling theorists and interactionists by pointing out that statistics showing an over-representation of working class elements is a result of interactional procedures and communication problems of social control agents who have faulty notions of the essential nature of deviance. These misconceptions cause them to select working class offenders more than, scientifically speaking they should, and likewise little of middle class offenders. The classicist will not, however, be able to explain the origin of false conceptions. The ideas will not be shown to be related to the specifics of social structure.

Be that as it may, the controversy that was excited by the white collar crime amongst the conservatives shows the depth of their conviction that crime is essentially a working class phenomenon. George Vold, rather surprisingly, writes "Business leaders and corporation executives by and large play an important role in civic and community affairs. They more often than not constitute an important source of imaginative leadership for community enterprises of all kinds."<sup>8</sup>

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6. Leon Radzinowicz, *Ideology and Crime*, London Heinemann 1966 p. 5
  7. Jock Young "Working Class Criminology, Ch. 2, in Taylor, Walton and Young, (eds), *Critical Criminology*, p. 254.
  8. George B. Vold. *Theoretical Criminology*, New York, Oxford University Press 1958, p. 254.

Criminological realists, who are a variant of conservatives, would argue that police work is in response to citizens complaints as opposed to police prejudices and 'proactiveness'. Thus, Black and Reiss remark "the moral standards of the citizenry have more to do with definition of juvenile deviance than the standards of policemen on patrol".<sup>9</sup> From this perspective the peculiar nature of criminal statistics is a reflection of the public mood and prevailing public will. In so doing, they obviously divest the class biased nature of crime and lay the explanation at the intentionality of the individual criminal.

It should be no surprise for, historically viewed, classicism begets an inherent contradiction between the defence of equality and the emphasis on property. No real attention is given to the fact that lack of property may predispose men to commit crime. The notion of equality as Gouldner points out is never more than ideology.<sup>10</sup> In avoiding discussion of criminal motivation - in particular the link between inequality and criminal action the supremacy of the propertied class is never questioned. Instead attention is focussed on administration and control<sup>11</sup>. Because they could not explain inequality was to their surprise that irrationality came to be concentrated among the dangerous classes. Whilst Locke would cautiously argue that although the labouring classes had a stake in civil society they could not become full members of it due to a lack of property, Beccaria would simply avoid the contradiction.

Classicism translated into political terms results in a conservative theorizing that is largely descriptive. Social order as morally bound together is seen as being largely consensual. Consensus is willed to prevent a return to Hobbesian anarchism. The fundamental value is that of law and order. There is a legitimate hierarchy and dominance based upon this agreed - upon consensus. Society is dominated by those born to rule, necessarily holding the rest of an unworthy population in check via schooling, individual punishment, institutionalization and segregation. The political programme is one of better education at the grass roots level, greater communication among agencies of social control and responsible participation at this grass roots level.<sup>12</sup>

There is no scope here to expand in detail the political and social programmes that classicists would mount in response to working class criminality. I would regard J. Q. Wilson's hard headed approach as

9. D. J. Black and A. P. Reiss. "Police Control of Juveniles" in Scott and Douglas (eds), *Theoretical Perspectives on Deviance*, New York: Basic Books, 1972, pp 119-41

10. Alvin Gouldner, *The Coming Crisis of Western Sociology* London: Heinemann 1971 p. 71

11. Vold op. cit. p. 23

12. For an appealing simplistic notion of conservatism and crime, see E. C. Banfield, *The Unheavenly City*, Boston: Little Brown, 1970, also cited in David M. Gordon, "Class and the Economics of crime" in W. Chambliss (ed), *Criminal Law in Action*, California: Hamilton, 1975.

prototypical of the classicist response. His political programmes are grounded in his explicitly pessimistic view of human nature. In his Introduction to "Thinking About Crime" he asserts that

"the proper design for public policies requires a clear and sober understanding of the nature of men, and above all, the extent to which that nature can be changed... Man is refractory enough to be unchangeable but reasonable enough to be adaptable"<sup>13</sup>.

His conception of the crime problem involves the existence of two problematic groups in the population: a finite, identifiable "pathological and predatory" criminal class for whom an incapacitative policy is the answer, and the rational calculative man, for whom a different policy is appropriate. Therefore what the government can do is change the risks... and the rewards of alternative sources of income for those who, at the margin, are neither hopelessly addicted to thievery nor morally vaccinated against it".<sup>14</sup>

The modern variant of this pessimistic view is that deterrent penal policies may have to be reinforced by appropriate social policies which will be additive although in effect they receive slight emphasis. "Anti-crime policies may be frustrated by the failure of employment policies... but if criminal opportunities are profitable many young persons will not take those legitimate jobs that exist. The benefits of work and the costs of crime must be increased simultaneously".<sup>15</sup>

#### THE CRIMINAL AS A VICTIM: SOCIOLOGICAL POSITIVISM

Eysenck states about the positivist method "It is an approach geared only to practical ends such as elimination of anti-social conduct and not cluttered with irrelevant, philosophical and ethicoreligious beliefs"<sup>16</sup>. The positivists postulated fundamental tendencies in human nature to argue that there is an identifiable consensus of meanings and morals which would act as a yardstick for positive action. The fundamental premise here is that values, norms and morality are given by the system. The deviant is one who has not internalized that underlying morality.

In so far as the positivist is interested in the causes of deviance he therefore looks to environmental, physiological or psychological factors that account for an individual's failure to internalize the norms of the majority. The meaning of behaviour is never problematic, it is to be interpreted alongside the posited consensus. Matza sums up the position cogently in saying that, "The explanation of crime according to the positivist school, may be

13. J. Q. Wilson, *Thinking About Crime*, New York; Basic Books, 1976 pp. xi, xvi.

14. *Ibid*, p. 77

15. *Ibid*, p. 202

16. M. Eysenck *Crime and Personality*, 1964, Routledge Revised ed., Paladto, 1970.

17. David Matza, *Delinquency and Drift*, New York Wiley, 1964 p. 3

found in the motivational and behavioural systems of criminals... This quest for explanation in the character and background of offenders had characterized all modern criminology, irrespective of causal factors espoused".<sup>17</sup>

Unlike in classicism the criminal is neither wicked (fallen from grace) nor ignorant (of the benefits of the contract) but is merely unaware of the forces that drive him. As Durheim would say, social life should be explained not by the notions of those who participate in it but by more profound causes which are unperceived. Criminality in the working classes has to be explained in terms of experiences or circumstances different from the majority of law abiding citizens. The biological positivists fell short of explaining the criminal statistics wherein the majority of law breakers were from the working classes. If Kretshmer, Sheldon, and Glueck found mesomorphism amongst delinquents, then they could not explain that working class children could be found in the statistics because of diet, continual manual labour, and so on. The same could be said of the chromosome theorem. Although Eysenck interprets the existence of contracultural values as a reflection of psychological propensities, he does not see them in terms of the structural position faced by lower class children with their poorly placed situation to be conditioned.<sup>18</sup> Trasler improved on Eysenck's biological explanation to suit working class criminality in terms of permissive, erratic, punitive, unprincipled child rearing techniques. Therefore if extroversion is evenly distributed in the population, the differential crime rate among the social class should be seen in the different socialization techniques of the working class.<sup>19</sup>

Working class criminality received explicit attention in the ecological tradition and the structural-functional schools. The ecologists saw the natural areas as breeding zones of crime. Just as plants that were sown on bad soil, individuals forced into such natural areas committed crime because of a lack of normative guidelines. Later, translated into a theory of differential social organization rather than social disorganization, it emphasized that "to grow up as a mature adult in the East End, demands the inculcation of different norms, by different means than does that needed to produce a well balanced inhabitant of Knightsbridge".<sup>20</sup> The British writers in the ecological tradition have shown that the delinquency of the criminal

18. T. Sarbin and J. Miller state that Chromosome theorists have failed to distinguish between the efficient (antecedent causes) and formal (reasons to label acts as illegal) causes. *Issues in Criminology*. Vol 5. 1970 pp, 195-207

19. Biological determinism was a welcome doctrine at the beginning of the nineteenth century for it was a convenient rationalization of the failure of preventative efforts and an escape from the dangerous doctrine that crime was a product of a particular social organization. Radzinowicz claims that at the beginning of the nineteenth century, the main source of danger to society was the disorder among the dangerous classes. They were those who had a miserable share in the accumulated wealth. To see them as an independent category served the interests and relieved the conscience of those at the top. See Radzinowicz, *Ideology and Crime*, op. cit.

20. Jock Young, *The Drug Takers: The Social Meaning of Drug Use*, London; McGibbon and Kee, Paladin, 1970 p, 56

area is a function of the availability of opportunities and of gratification rather than natural outgrowth of the demoralization of the less able or the individual pathological.<sup>21</sup>

Merton attempted to give a functionalist interpretation and a structural base to crime in general. He attempted to explore the beginnings of egoism in the structural position of actors. The structural position of actors does not allow sufficient avenues to attain the goals prescribed by the system. Criminality in the working classes is not so much a function of socialization but a partial demystification of the game by the underprivileged. To Merton, disjunction in the social and cultural structure arises out of a maldistribution of opportunities. Though there is considerable evidence to suggest that deviance is far more widespread than Merton would predict, he explains only the strain experienced by the working classes. If Merton is merely explaining the criminal statistics his theory is sufficient as an explanation but this observation does not mean that lower class individuals experiencing the anomia are more committed to criminality than members of the higher class. In any case if it were really the case, as Matza indicates, there ought to be much more officially apprehended delinquency than that there is and too little of bourgeois criminality.

In the positivists explanation of working class criminality the subcultural theorists take the analysis further than Merton. By positing that the social structure of American society is under pinned by set of cultural arrangements which can be used by the disadvantaged in solving problems of structural inequality, Cloward and Ohlin point to the collective adaptations as leading to a peculiar structure of opportunities of success. While Cloward and Ohlin did not highlight the rejection of bourgeois standards, Cohen pointed out the contradictions of working class culture with that of the bourgeois society. In the case of Cohen's working class adolescents it is more likely that what has happened is a realistic disengagement from the success goals and a focus of their aspirations on leisure pursuits. As a result of the status frustration there ensues a reaction formation leading to a set of values which is malicious, short term, hedonistic, and non-utilitarian. Despite its many weaknesses, the use of the anomie theory by subcultural theorists has led to a pluralist model of society where reaction becomes problematic due to a variety of social values and a variety of notions of deviancy.

It is necessary to consider the positivist mode of thought, its epistemology and ontology, for these philosophical issues of objectivity and reflexivity contribute to its particular relation to the social order and its politics. Positivism, generally, is little concerned with epistemological or ontological questions for its main worry is the 'method'. Given enough knowledge and proper methodology the scientist could predict and control

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21. See John Rex and David Moore, *Race Community and Conflict*, London: OUP, 1967  
D. Downes, *The Delinquent: Solutions*, 1966 London R K P.

future events. An orderly society could be brought about by man's control of the outside world. The positivist is interested in casual explanations ostensibly value free, devoid of moral assessments. The failure of positivism is in not being reflective. It therefore leads inevitably to an acceptance of the status quo. Just as there is no questioning of the scientist's assumptions there is no questioning of the established order. The official reality is given and is accepted as such. Schaar says that he (criminologist) accepts the bureaucratic rationality, modern technology, centralized authority and scientism.<sup>22</sup> Because the positivist modes of thought lend themselves to a status quo theory, they are in great demand by those who rule. The scientist cannot operate out of the official reality, for to do so would be to relinquish his role as a scientist. The legal order is taken for granted and if it is questioned at all it is concerned with how to make it more equitable. Inadequacies are to be rectified and the agencies of control are to be made more efficient and honest.<sup>23</sup>

The empiricist culture of the positivist is propagated by social democratic politics. Bourgeois rationalism is substituted by socialist rationalism with the state taking over the control of the economy in place of the invisible hand. The reformism of Fabian Socialism is the typical dramatization of this doctrine. If classicism and conservative politics brushed aside the contradiction of utility as arbiter of social merit and inequality of inherited property, the Fabians were keen to rationalize it by attempting to set up a health meritocracy. The Fabian objective has the creation of equal opportunity by gradually abolishing the gross inequalities of material wealth in order that a truly utilitarian society based on an universally appropriate social contract where everyone had an equal state could be erected. This was reflected in its commitment to welfare. Social reconstruction is the theme; better industrial relations, desegregation in housing; a smooth merit-success-mobility run for everyone. This was also combined with a religious zeal to inculcate the protestant ethic into everyone. Criminals were separated out from their class origins and identified as those who were unwilling to participate in the welfare reconstruction. It was the British Labour government of 1960 that identified the troublesome youth out of the generally deprived youth.<sup>24</sup>

The social democratic political parties operate at two levels. Based on environmental determinist theories they try to lessen the harshness of the environment through welfare legislation. ( Benevolent Community homes in

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22. John Schaar, "Legitimacy in the Modern State" in Green and Levinson (eds) *Power and the Community*, New York: Vintage 1970.

23. Norral Morris, and Gordon Hawkins, *An Honest Politician's Guide to Crime Control* New York: University of California Press, 1970. They offer suggestions for changing particular laws but the legal system is to remain intact. See, also, *The White papers in Britain on children in the 1960's and the bitter conflict they eventuated*.

24. See the British Labour Party study group document, *Crime - A Challenge to Us All*, and also the White Paper, *Children in Trouble*.

place of poor homes). But when this fails in the face of the inequitable society they embrace psychoanalytic and individualist theories. In Britain, the sociologists place was taken by psychiatrists like John Bowlby noted for his maternal deprivation concepts and in America the Mobilization of Youth Programmes turned to personality maladjustment theories. Social problems tend to get individualized and sorted out for casework treatment.<sup>25</sup>

The political arm of the status quo theory of positivism is predicated on the belief that it is possible to create a well regulated humanitarian system of criminal justice under present economic and political arrangements. Whilst rejecting radical social change, it supports gradualist programmes of social amelioration. Reform agencies such as probation and parole, half way houses, indeterminate sentences, youth service bureaus become the signal posts in a cybernetic matrix to harmonize the atomized deviant.

Labour politics cannot conceive of the possibility of meaningful dissent. Unfortunately deviants are a de classe category, either undersocialized or corrupted by alien ideologies. Punishment for repentance is the appropriate mode for social defence against individual recalcitrance. Thieves and hooligans threaten the meaningfulness of social welfare programmes. Working class preponderance in criminal statistics has been explained away by focussing attention on the individual violator rather than on the legal system itself. Solutions have been in terms of changing the law breaker and not altering the social structure.<sup>26</sup>

We can understand the penal policy that grew as a response to positivist scientific thought clearly in the concept of rehabilitation. By about the 1960s there was a strong consensus of penal thought which believed that rapid strides would be made scientifically to ward the identification of specific types of treatment for specific offenders. Courts needed better information; prisons began practicing group counselling, probation services had gone into psychoanalysis in diagnosis and treatment. There was pressure for an increase in indeterminate custodial sentences so that offender could be let out only when 'treated'. The offender was to receive the correctional treatment best suited to inculcate the law abiding habits in him. In this modal treatment there were other aspects-predictive restraint and individualized decision making.

As long as crime is perceived as a disease in the working classes, social welfare policy will aim at the amelioration of the environment and social stresses that produce deviance. Social disorganization and deviance interact and that is recognized. Galbraith's distinction between insular and case

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25. One could understand the growth of social work professions and also their catchery mediation and adjustment. Also in this context one should note Wright Mills public issues and private troubles dichotomy.

26. It was only recently that some criminologists have realised that law is problematic but again these studies have been based on the positivist mode of thought. See Quinney(ed) *Criminal Justice in American Society*, Boston, Little Brown, 1969.

poverty illustrate the point well. However, working class criminality is seen as having little relationship to social and economic inequality. Emphasis is placed on the social, recognizing conditions as problematic and hence acting through government, in a collective, gradual piecemeal way without disturbing the existing structure of society. The working class criminal is a temporary aberration. The deviants therefore are to be treated humanely. Ryan calls this the 'blaming the victim' thesis.<sup>27</sup>

## INTERACTIONISM AND WORKING CLASS CRIMINALITY

The new deviance theorists reacted to the positivist notions of a consensual social order, pathology of the criminal, its determinism, reductionism, and scientism. They noted that such a conception leads to a severance of the criminal from his present predicament and consciousness. In the new deviancy theory deviancy is seen as a problematic product of a series of transactions between the definer and defined, each operating in his own social world. The pathological conception of deviancy; all people are potentially deviant but is the intolerance of power which translates normal action into stigmatized action. Deviance is not inherent in the action; it is a quality bestowed upon the act. Social reaction exacerbates it and leads to amplification or the ossification of the actor in his deviant capacity and moreover the state's selection of criminals is arbitrary and is based by and large on the false conceptions held by the control agents. Working class criminality to them is a phenomenon which occurs because of their relative powerlessness as a class, rather than the fact of greater involvement in criminality.<sup>28</sup> The social processes discredit the positivist hypotheses such as broken home, poverty or even the genetic notions of extroversion and mesomorphism and in the sense that control agents selectively apprehend these types for processing. In this theory, as Young points out, "the deviant is above all, a rational conscious actor, free of the determinants of past events and physical or psychic disturbance, and existing in a homogenous and normatively consistent subculture."<sup>29</sup> Undersocialization and social disorganization (and anomie) are replaced by differential socialization depending on one's proximity to one particular normative nucleus in a total array of such nuclei.

The interest in the working class as such is limited for its concern is with a development of a non utilitarian criminology "whose subjects live in a world not of work, but of leisure".<sup>30</sup> The world of work is generally neglected and attention is focussed on crimes without victims of an expressive nature: illicit drug use, sexual deviance, homosexuality and bohemian crime in general.

27. W. Ryan, *Blaming the Victim*, Orbach and Chambers, 1971.

28. D. Chapman, *Sociology and the Stereotype of the Criminal*, London: Tavistock, 1968

29. Jock Young *Critical Criminology*, op. cit., p. 67.

30. *Ibid*, p. 68

The ontology is that there is no objectively possibly reality independent of our minds. The constructs of the social sciences are second order constructs which are in the first place created by the subjects in their social interaction and intercommunication with others. This mode of thought is an advance over the positivist epistemology because of its reflexivity. The scientist reflects on his activity as observer, using to advantage the social and personal nature of his observation. The conservative side of this line of thought is its limitation to the meanings created by social actors. In doing so it ignores a world of events and structures that exist independent of the consciousness of actors.

To accept the world of actors is often to accept the reality that is portrayed by the dominant social order. The social constructionist's thought therefore cannot transcend the existing order. What it does offer is the multiplicity of realities but not a yardstick to determine which is less oppressive than the other. Social relativism becomes the order of the day.

In its opposition to utilitarianism the new deviancy-theory embraces a romantic appreciation of the social reality. The essential man is brutalized by civilized society. This romantic image of man leads the deviancy theorist to attack interventionist stances of correctionalist criminology. The motto of its praxis according to Gouldner is labelled "Theory and Partice of cool,"<sup>31</sup> and an implicit celebration of the deviant as anti-state.

The new deviancy does not transform itself immediately to any form of political praxis. Its significance lies in its lack of concern with the class basis of crime. The lack of a historical and dialectical perspective sets the stage for nihilism and wishy-washy relativism which fails to capture public enthusiasm. Its achievement was the identification of powerless intellectuals with the deviants who were seen as more successful in controlling the events. In spite of its preoccupation with the trivia and politically irresponsible hipsterism,<sup>32</sup> the sceptical deviancy theorists helped to rid working class criminal behaviour of its pathology and invest it with some sort of respectability. Yet it was on the whole a fatalistic idealism, self defeating in underestimating the possibility of a radically different society where human values take precedence over property values.

The criticisms of the rehabilitative ideal by this philosophy would weigh heavily on the mystification and disguise of social injustice and the perpetration of the social control element. Because the values of individual privacy, autonomy, equality of treatment, individual dissent and cultural diversity cannot be contained in the present rehabilitative practices this school of criminology cannot support it. Added to this, the control agents are a necessary part of the rehabilitative process who contribute to the

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31. Alvin Gouldner, *The Coming Crisis*. op. cit., p. 1.1-122.

32. Anthony Platt, "Prospects for Radical Criminology in the USA" in Taylor, Walton and Young, *Critical Criminology*, op. cit., p. 98.

stigmatization and labelling and are therefore best left out. What is recommended is a minimalist criminal justice system which is noncoercive. I would place the romantic visions of Scandinavian criminologists such as Nils Christie and others such as Illich and Schaumacher who argue for the recreation of personal encounters and community responsiveness in the reparation of interpersonal conflicts as containing some elements of this philosophy.

Alongside this idealistic practice there should be lot less laws and especially those that discriminate against the working classes. Decriminalization is not of persons as in the rehabilitative ideal but of acts. The acts in question should not be blameworthy because the use of criminal law leads to greater blameworthiness. It campaigns to decriminalize drugs, homosexuality, suicide, abortion and many such actions of the less respectable, such as spatters, football hooligans, pop festival fans, and others. The penal option is the last when other remedies are inadequate. If a given pattern of behaviour can be conceptually normalized, there is a greater change of preventing blame allocation. Much of criminal activity can be transferred to civil courts with legal aid to enable victims to become plaintiffs etc. Victim support schemes, Criminal Injuries Compensation Boards and extension of the powers of courts for compensation and restitution gain momentum. Victim support schemes express solidarity with the victim recognizing his needs as legitimate and unmet.

### RADICAL THEORY AND WORKING CLASS CRIMINALITY

Radical theory begins with a proper examination of criminal statistics. It reveals the class organized nature of crime and legal systems. In putting criminal statistics into analytic use one sees the emergence of the phenomenon of working class crime. In an inequitable society crime is generally about property and even those offences against the person are committed in the pursuit of property. Property crime therefore should be understood as a rational attempt to amass property than it is understood as innate wickedness or faulty socialization or inaccurate and spurious labelling. Both working class and upper class crimes ensue in this competitive struggle but for obvious reasons only working class crimes are figured in statistics. For, Taylor, Walton and Young put it, a society which is predicated on an unequal right to the accumulation of property gives rise to legal and illegal desire to accumulate property as rapidly as possible.<sup>33</sup>

A radical approach to the examination of statistics is underpinned by a particular ontological concern about man and society which is a precursor to a proper analysis of working class crime in that perspective. A radical philosophy is one that goes into the fundamentals of our existence. In doing so it assesses every actual and possible experience. It is a process of

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33. *Critical Criminology*, op. cit., p. 89.

demystification by which reality as given is exposed revealing its essential nature. In a critical philosophy truth is linked to the intention of the true and good life liberated from its oppressing forces. The liberating force of radical criticism aims to move out of mere revelation as in phenomenology to the development of a new consciousness and an active life in which we transcend the established forms of existence. Quinney says that a critical philosophy is in itself a form of life.

In demystifying our lives we are extricating ourselves from the current social and cultural life. It is to free one's existence from the present day arrangements of a bureaucratically organized system of production and distribution in which human freedom is sacrificed for an ideological social order which is not real. The repressive ideology hides even the freedom to know that the system is oppressive - a result of one dimensional thinking.<sup>34</sup> The negation of the present involves the questioning of its attendant paraphernalia of science and technology which legitimize the dominant order and the ruling class. Breaking the present order means a break with the ideology that justifies it. In radical thinking we can entertain the notion of an alternative reality - the image of the possible.

The concrete image of the possible is developed in the Marxist perspective- Current reality is judged in terms of the alternating effects. Process of realizing the new world is a collective activity consequent to a collective consciousness. The imagery is transcendental; to achieve it one has to rid one's present reality of its ideologies and structures. As Quinny remarks, "Marxism is the one philosophy of our time that takes as its focus the oppression produced by a capitalist society... A Marxist critique provides... a form of thought that allows us to transcend in thought and action that kind of existence".<sup>35</sup>

## MARXIST INTERPRETATIONS

Marx was no different in explaining the criminality of the dangerous classes, but for entirely different reasons. The criminal classes were criminal because they were unproductive and parasitical because they did not contribute to the production of goods and commodities but lived on those produced by the labouring class. Marx's disdain for criminal activity is therefore bound up with his theoretical concern with the proletariat as the vanguard of the revolution. The comments made by Marx and Engels on the lumpenproletariat cannot be brushed off as mere "bourgeois morality" for they were conscious of the fact that the proletariat could fall victim to the ideological illusions of the parasitic element. As a parasitic class living off productive labour by theft and other vices, their class interests are diametrically opposed to those of the workers. They are open to the

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34. Herbert Marcuse, *One Dimensional Man*, London: Routledge and Kegan Paul, 1964.

35. Quinney *op.cit.*, p. 191.

bribes and blandishments of the reactionary elements of the ruling classes and the state.<sup>36</sup> Furthermore, they are incapable of a militant socialist struggle and fall a prey to the worse deviations. Thus this harsh language of Marx and Engels with regard to the criminality of dangerous classes should be properly seen as stemming from a theoretical - political point of view. Nor should one be misconceived by the ironic comments made on the functionality of crime and criminal classes in maintaining the system of capitalist production.

About the individual who is driven to crime, we see him as a victim of the capitalist system. Engels says, "Under the brutal and brutalizing treatment of the bourgeoisie, the working man becomes precisely as much a thing without volition as water, and is subject to the laws of nature with precisely the same necessity; at a certain point freedom ceases".<sup>37</sup> Marx and Engels demonstrated that it was the capitalist system, the so called just and virtuous system that produced the criminal. However, this option of crime was not a political rebellion but a reactionary accommodation to it.

The proper explanation of working class criminality in Marxism would be concerned with the ways in which particular historical periods are characterized by particular sets of social relationships and means of production. These relations give rise to certain legal orders which are the creations of those who are in power. The defining agencies will have to be located not only in relation to the market structure but quite specifically in relation to the overweening structure of material production and division of labour. Man's location in a social structure of production and domination will be combined with the ontological assumptions about man (free from the one dimensional economic determinism of some commentators) and will lead to an understanding of criminality of some men as a combination of both an active and passive process. It might enable us to see the interpretation of working class crime as a political act rather than merely a result of a process of spurious labelling.

Viewed in this light it is easy to understand and provide an explanation to the new breed of criminals who are the victims of new laws against industrial dissent, political dissent, squatting control, tenant regulations and so on. It is clear from these that the vast bulk of new criminals in western countries are a sequel to a lack of property or working class or black. Yet they are of only incidental interest to orthodox Marxists as they are inadequate in themselves to transform conditions of production.

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36. Paul Q. Hirst in *Critical Criminology*, p. 216, J. Clarke and T. Jefferson in Mungham and Pearson (eds) *Working Class Youth Culture* London, RKP, 1977 demonstrate the contemporary modes of winning over dangerous elements as part of the process of rule by consent of hegemony, as Gramsci calls it.

37. Engels, *The Condition of the Working Class in England in 1844*, reprinted in Carson & Wiles (eds), *Crime and Delinquency in Britain*,

The nature and content of crime cannot be grasped without a thorough-going analysis of its evolution historically and such an analysis will invariably reveal the primacy of material conditions as the determinants of crime and legal norms of any historical epoch. Legal relations are important precisely because they perpetuate a particular mode of production and thereby the whole life style and culture of society. The notions of property rights become intelligible only if viewed in terms of a particular mode of production. Changes in the nature of property lead to a development of a kind of private law favouring the non-workers. Property becomes not merely a title to dispose of material objects but also a title to power, a title to exploitation and domination. It is the function of a truly materialist criminology to demonstrate how the legal norms in question are productive of contradictions and to demystify the legal expression of true social conflict between contending classes.

As to the political activity of a radical philosophy such as Marxism, "the most important problem does not lie in understanding the laws of the objective world... but in applying the knowledge of the laws actively to change the world" (Mao Tse-Tung)<sup>38</sup>. The researcher will need to declare his partisan interest and take sides against the facts of a propertied society and against the correction or labelling of those criminals in a propertied society. The radical theorist needs to address his work to the constituencies that are appropriate and also at the proper time. The proper constituency may not necessarily be the proletariat as in orthodox Marxism but the oppressed classes seeking liberation.

The break with individual explanations has ended with the political economy as the primary determinant in the socialist interpretation of crime and law. In so far as crime in general and working class in particular are concerned, it is by altering the social formations that one could combat crime. This is not to discount the need for other controls on anti-social behaviour necessary in a socialist state. But in so far as crime is related to individious distinctions in property wealth and power, these forms of diversity will be free from the need to be criminalized and processed.

This is an area in which the theoretical debate is going on as passionately as ever. Any penal policy before the eventual coming of the good society will not be "the outcome of a rational and objective willing of the common good by all members of the communtiy alike; it is the price paid for those legal principles which secure the predominance of the owners of property".<sup>39</sup> It is difficult to contemplate the penal policy of Marxian thinkers except to repeat the arguments against the present criminal justice system as referred to by the American Friends Service Committee. They see the "impossibility of achiveing more than a superficial reformation of our criminal justice system

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38. Mao Tse-Tung, *On Practice*, cited in Anthony Platt, *op. cit.*, p. 105.

39. H. J. Lacki, *The State in Theory and Practice*, London: Allen and Unwin, 1934 p. 270

without a radical change in our values and a drastic restructuring of our social and economic institutions."<sup>40</sup> Since criminal justice is a derivative of social justice they add that "the quest for justice will necessarily be frustrated so long as we fail to recognize that criminal justice is dependant upon and largely derives from social justice".<sup>41</sup> They conclude "To the extent that equal justice is correlated with equality of status, influence and economic power, the construction of a just system of criminal justice in an unjust society is a contradiction in terms".<sup>42</sup>

### CONCLUSIONS

The aim of the essay was to demonstrate the varying sociological interpretations of the phenomenon of criminality in the working class. More importantly it also demonstrated how our interpretations of the social behaviours affect, or ought to affect our living of it. It should become obvious therefore that contrary to the protestations of the so called value free theorist-no social theory is adequate unless it takes into account the political ramifications that go with the analysis.

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40. American Friends Service Committee, *Struggle for Justice*, New York, Hill and Wang, 1971 p. 12.

41. *Ibid*, p. 13

42. *Ibid*, p. 16