

Crime and Capital: Rethinking a Marxist Theory of Crime and Punishment

by Craig Worrall, Department of Sociology, University of Warwick

ABSTRACT

Marxist criminology can be said to have had its heyday in the 1970s, delivering a forceful critique of positivism and correctionalism, but ultimately failing to build a coherent theory of its own. This paper outlines the central elements of traditional Marxist criminology, and the main criticisms of the approach, particularly its inability to break away from deterministic models of deviance. It goes on to suggest that such criticisms do not necessarily mean that a coherent Marxist conception of crime cannot be achieved, and that a critique of Orthodox Marxist theory itself through the school of 'open Marxism' could produce an effective radical theory of crime and deviance. I conclude that through discussions of work and the social domination of money, Marxism can still give valuable insights into the processes of crime and punishment.

KEYWORDS: Abstract domination, crime and deviance, determinism, Open Marxism, Radical Criminology.

INTRODUCTION

The attempt to explain social phenomena through the methods of the natural sciences has a long pedigree and emerges in criminological study with the work of Lombroso (1876). Despite the claims of objectivity and scientific truth upon which this 'positivist' methodology is allegedly based, the early 1970s saw a radically different conception of criminality emerge, one that attempted to account for the wider structural causes of crime, and to challenge the deterministic model of criminality offered by positivism. One of the most important works within this movement was *The New Criminology* (1973) by Taylor, Walton and Young, whose Marxist analysis explicitly located the roots of crime in the capitalist mode of production, and the inequalities of wealth and power that it creates. They sought to unite theories emphasising agency and social reaction to deviance, and to set this theory within the framework of capitalist social relations in order to formulate a holistic conception of deviance. Despite the gradual evolution of this approach in response to criticism, it has never wholly escaped a deterministic stance on the issue of criminality. This paper argues that despite failure in the past, a Marxist theory of crime that does not deterministically reduce criminal activity to products of 'objective' capitalist structures is possible, and indeed a radical theory of the social constitution of crime is required to counteract an increasing tendency towards punitive correctionalism in criminal justice policy. The paper begins with an outline of the theoretical origins and main tenants of orthodox Marxist criminology before discussing how the approach has been criticised. I shall suggest that despite the response of radical criminology to these criticisms it remains an inadequate account of criminality due to its resting on a necessarily deterministic version of Marxism. The remainder of the paper outlines an alternative conception of Marx's social theory and suggests that

future research based around these theoretical moorings may help us to better understand the nature of the relationship between capital, crime and punishment.

EARLY MARXIST CRIMINOLOGY – THE THEORETICAL BACKGROUND

For the authors of *The New Criminology* the positivist methodology in studies of criminality was the primary target of criticism. While arriving at a definition of positivism is difficult due to the existence of several approaches that have been labelled 'positivist' (Halfpenny, 1992), in this context it refers to an approach involving the application of the methods of the natural sciences to the study of social behaviour. This involves the search for cause and effect relations that can be measured in a similar way to that in which natural science examines relations between objects in the physical world (Muncie, 1999: 85). Initially positivism seems to be an attractive school of thought; notably its claim to bind itself to classical methodological approaches as used in the natural sciences implies that it pursues some objective truth about criminal and deviant behaviour. It also presupposes a consensus worldview, thus eliminating any ethical questions concerning the exercise of power over the deviant; deviancy is assumed to reside pathologically within the individual offender or to emerge through the deviant's pathological social environment (Muncie, 1999: 100). Loeber and Farrington's (2000) study provides an example of the positivist method: they assess 'risk factors' associated with 'developmental pathways' which may lead to delinquent and criminal behaviour in adult life, and attempt to identify 'early warning signs' of criminality. They present an extensive list of risk factors associated with delinquent tendencies in later life, including 'poor academic performance' and a predisposition to 'impulsive behaviour' (p. 749). However, the mechanisms through which children come into contact with risks, such as why certain children have a poor academic performance and others not, is left unexplored, meaning the link to wider structural factors and relations of power remains weak at best. Moreover the notion that criminal behaviour may constitute a meaningful response to such risk factors is not considered, and a highly deterministic model is therefore constructed whereby actors apparently automatically react to their risk-saturated social environments. Studies such as this can be seen to remove human creativity from deviant action, and to ignore the existence of wider relations of power which may affect the likelihood of criminality or criminalisation; as such, they are concerned only with a reduction of social risk factors and the correction of individual offenders.

Clearly the positivist tradition has limitations, despite its apparent commitment to objective investigation. The new criminologists initially drew on the American schools of labelling and strain theory to generate an alternative perspective to the positivist worldview. Strain theory suggests that when society's normatively sanctioned goals and the opportunities for achieving those goals are irreconcilable then actors will pursue goals using illegitimate (i.e. criminal or deviant) methods. Cohen (1955) for example links the development of delinquent subcultures to the inability of the group's members to achieve status through conventional means; the subculture provides an alternative status hierarchy (pp. 121-122). The inability to achieve status or material goals may be the result of failure at school, material deprivation or economic recession leading to high unemployment rates (Box, 1987: 36-39). The benefit of strain theory is that it conceptualises deviant action as a creative response to structural strain on the part of the actor (Cohen, 1955: 51) and as such it moves beyond the rigid determinism of positivism.

Labelling theory highlights the precarious nature of deviance; Becker notes that all social groups make and attempt to enforce rules and that therefore 'deviance is not a quality of the act a person commits, but rather a consequence of the application, by others of rules and sanctions' (1973: 9). Deviance, rather than being a result of pathological moral failing on the part of the offender, is in fact a result of the successful imposition of particular labels. Simple dichotomies between 'normal' and 'deviant' cannot therefore be drawn and the study of deviancy must be divested of its moralistic overtones and placed within an interactional context (Lemert, 1951: 21-23). The newly emerging movement of radical criminology recognised the importance of these perspectives over deterministic positivist accounts; however strain and labelling theories themselves did not provide a holistic explanation of crime and deviance. Strain theory, while emphasising structure and disassociating criminology from pathological explanations of crime, saw actors as purely reactive or adaptive and not creative enough (Downes and Rock, 1995); in Cohen's (1955) study, for example, the delinquent youths simply 'inverted middle-class morality like spoilt automata' (Young, 1998: 18). Labelling theory was also limited in that it had little to say on wider macro-features of society, concentrating as it did on micro-interactive situations (Young, 1998: 19). The task of radical criminology was to synthesise these theories and overcome their limitations, setting action within wider social structures without overdetermining it.

CONSTRUCTING A MARXIST THEORY OF CRIME AND PUNISHMENT

Radical criminology suggests that crime must be explained in the context of the capitalist mode of production rather than as a breach of the identifiable moral consensus on which positivism is implicitly based (Taylor *et al.*, 1973: 279). Behind the façade of the legal and justice system is a mechanism for protecting an unequal and repressive social order (Cohen, 1998: 103), and it is this inequality that provides the wider setting for crime and deviance to occur. Taylor, Walton and Young (1973) argue that a fully social theory of deviance must be sensitive to the connections between the actual deviant act, both the immediate and wider reactions to it, the outcomes of such reactions on the deviant's further behaviour, and the wider origins of the deviant act, i.e. the inequalities of power and wealth within industrial societies; these phenomena all exist in a complex dialectical relationship to one another. For Bohm, 'in a radical Marxist-inspired analysis, crime and social control are social relations of a socio-economic formation' (1998: 20), in which the social superstructure (consisting of institutions such as the law, family and the state) exists in a dialectical relationship with its economic base.

Box (1987) illustrates this in his study of the relationship between recession and crime. He notes that recession leads to heightened inequality and unemployment; the meaning of unemployment may vary between individuals, thus informing their response. For example, psycho-social pressures on male breadwinners with a strong sense of duty to provide for the family may make them more likely to turn to crime to prevent familial hardship and a loss of social status as a provider for the family (Box, 1987: 39). This approach explicitly links structural phenomena to an actor's perceptions of and responses to them. Furthermore, the understanding that crime is intimately bound to socio-economic relations means that radical criminology cannot fall into the correctionalism of traditional criminological theory; instead it must be normatively committed to abolishing inequalities in wealth, power and influence (Taylor *et al.*, 1973: 281).

A Marxist understanding of crime recognises that while a diverse array of individuals commit illegal acts, it is generally lower-working-class males who are routinely criminalised while serious crimes of the rich, the police or the state are ignored (Box, 1987: 46). Hall *et al.* (1978) seek to explain this process. They note that the term 'mugging' had been imported to Britain from America to describe street robberies. This created the impression that a new wave of violent crime was sweeping the country; however, street robberies had occurred in Britain for centuries. Moreover, the label 'mugger' was disproportionately applied to young black males. Hall linked this to a crisis of legitimacy within the capitalist state. Competent social management is a requirement for government based on consent; however the economic conditions of the 1970s made consent difficult to achieve. In order to maintain stability and prevent resistance to the normative order scapegoats were created, thus enabling the state to campaign against 'criminals' and creating a 'law and order society' (Hall *et al.*, 1978: 317-323).

Theorists such as Neocleous (2000) go further, suggesting that the very notion of 'law and order' is intimately bound to the disciplinary nature of the market. Social order is not simply the absence of riots and crime, but an acceptance of the capital-labour relation. The earliest police helped to facilitate bourgeois social order and acceptance of the institution of the wage by criminalising other subsistence practices such as grazing cattle in public byways, and fishing and selling goods without a licence. For Kay and Mott (1982) the modern police were not the result of a rational search for order; rather they were a bureaucratic project central to regulating labour in the liberal state, an instrument developed out of the conditions that modern capitalist order generated (pp. 123-131). Following on from this, Neocleous argues that social order is a fabrication, designed to enforce wage labour and the capitalist mode of production; the police are mobilised to enforce this bourgeois order.

CRITICISM

Since its appearance in the 1970s, Marxist criminology has received harsh criticism. Feminists have noted that it has little to say about violent and sexual crime; by placing emphasis on the economic basis of power relations in society the Marxists provide a simplistic notion of domination, and limit their analysis of crime to property crime, such as theft or burglary (Cameron and Frazer, 1987: 117-118). Besides, as Kelly and Radford (1987: 238) argue, men's violence toward women cuts across issues of class and 'race', and occurs frequently in non-capitalist societies, so clearly the causes of violent crime cannot simply be explained by capitalism; this limits the usefulness of Marxist theory in debates concerning crimes of this nature. Further criticism concerns the extent to which actors are able to make sense of and act upon the demands that capitalism supposedly places on their action; Young suggests that it is rather strange that 'seemingly a local police chief has no problem in understanding what capital requires of him' (quoted in Box, 1987: 197) despite economists and other specialists being in disagreement as to the nature of economic relations. Radical criminology can be seen as a simplistic and even conspiratorial analysis of social relations.

Perhaps the most well-known source of criticism is from the 'left realist' school of criminology. They argue that contrary to radical criminology's 'heroic criminal' reacting to and fighting back against bourgeois order, most crime is committed against the powerless – it is the weak and marginal who are the victims of crime (Cohen, 1998). Furthermore, they argue that criminal justice cannot simply be conceptualised as a

repressive force; it is a victory of democratic legality over the arbitrary power enjoyed by ruling elites in previous historical epochs. Marxists are accused of pessimism, and undermining the utilitarian and humanitarian traditions of penal reform (Cohen, 1998: 105-106). Young (1975: 71) suggests that this simplistic characterisation of crime and punishment emerges because many projects associated with radical deviancy theory are merely a crude inversion of the positivism they seek to oppose. For example, positivism involves an uncritical acceptance of conventional and normative definitions of crime and criminality, with a primary focus on working class recidivists (Maguire, 1997: 143). Critical criminology's rejection of normative conceptions of crime ignores the extent to which there is a societal consensus on issues of morality, making the approach as one-dimensional as positivism. Finally, despite the call of Taylor, Walton and Young (1973) for Marxist criminology to be committed normatively to the abolition of the conditions that they allege to produce crime, the critical criminologists have done surprisingly little outside of radical theorising to address problems of crime, law and order; it is still the positivists and other non-radicals who are the most active in policy formulation and influence (Young 1998: 43).

Radical criminology has responded to these criticisms; despite the accusation that critical criminology implies a conspiratorial analysis of social relations, much Marxist criminology emphasises the fact that individuals are not necessarily complicit in meeting the needs of capitalism: crime and criminalisation are 'structural imperatives' or 'unintended consequences' of capitalist social relations (Hall *et al.*, 1978: 322; Box, 1987: 159). Welch (1998) points out that even if modern policing constitutes a triumph of democratic legality over arbitrary power, radical criminology is still necessary because it is quite clear that the individualist-correctionalist agenda has not succeeded in meeting its goals of rehabilitation; policing and punishment have been focused on the correction of individual offenders for some time and this approach has still not succeeded in eliminating the crime problem in any substantial way (p. 118). Furthermore, newer methods of crime control, such as the so-called 'new penology', constitute new forms of social control, undermining democratic legality and justice through an actuarial approach to policing and punishment. This involves the categorisation and risk assessment of criminal subpopulations, such as drug users, and recommendation of strategies to control these aggregates. Individualised justice is undermined by social management and sanitation techniques, with the aim not of reducing crime but of making it tolerable through systematic coordination (Welch, 1998: 119-120).

Radical theories have increasingly engaged with feminism in light of criticisms regarding their ignorance of gender relations. Messerschmidt's (1997) discussion of corporate crime (pp. 89-109) analyses how corporate divisions of power provide 'class resources' for constructing particular types of masculinity, helping to explore which males commit (corporate) crimes, and which do not in specific situations. However, while radical theories have begun to tackle the gendered nature of crime and to consider the role of the victim (particularly female victims of male violence), Carrington (2002) claims that residual tension may still exist between feminist and Marxist criminologists (p. 129) and radical engagement with gender may simply amount to rhetorical gestures (p. 130). Upon closer examination, however, the alternatives to radical criminology do not appear adequate for a sophisticated understanding of deviance, even if they do consider the issues of gender and victimology; while left realism may initially look like a pragmatic modification of radical criminology, in actuality it represents a return to positivism relying uncritically on victim surveys and reasserting the primacy of the police and justice system (Fattah, 1997: 267). Indeed for Downes and Rock, 'it may not be inaccurate to

argue that left realism is now little more than the name taken by mainstream criminology when it appears in radical circles' (1995: 302-303). In light of this re-establishment of deterministic positivism and an increasing tendency toward social control in social policy (Welch, 1998) the need for a radical critique and analysis of the social constitution of crime remains necessary. However, radical criminology in its current form has not escaped a deterministic stance as its founders had hoped; rather determinism has moved from a socio-cultural context to one of political economy's making (Downes and Rock, 1995: 288). Orthodox Marxism imbued with sociology is inherently constrained by determinism (Bonefeld *et al.*, 1992); following the assumption that society is a superstructure resting on an economic base there is an assumption that structures and capital are constituted 'things'; 'capital is presupposed as an existing entity. The question of what capital "is" is no longer raised' (Bonefeld, 1995:183). By accepting the horizons of a given world as its own theoretical horizons Marxism becomes constrained by a teleological or causal determinism amounting to an acceptance of their inevitability (Bonefeld *et al.*, 1992: xii); radical criminology's conception of capitalism as an objective structure that constrains and informs our action makes a Marxist criminology itself complicit in the reification of capitalist domination. Its construction of objective 'thing-like' structures means it cannot adequately provide a theory of their transcendence since to analyse structures as objective is to presuppose their inevitability. A truly radical theory must conceive of capitalism as inherently unstable and contradictory; the remainder of this article will be concerned with the implications of such an understanding for the study of crime.

RECONSTRUCTING A MARXIST THEORY OF CRIME AND PUNISHMENT

Although not a unified movement in the strictest sense, the ideas associated with 'open Marxism' provide a useful theoretical basis for a more fluid conception of criminality and social control. Open Marxism sees Marxism not as a theory of society (describing and reifying its structures), but as a theory *against* society (Holloway, 1994: 39); its totally negating character sets it apart from partially negative theories, which, while critical, do not contain a theory of crisis or social change. Marxism is conceived of as wholly negative as it seeks not only to understand oppression, but the fragility of oppression:

If we take feminism, for example, we can say that it illuminates social oppression in an important manner but it does not have a theory of social change, it does not have a theory of the crisis of patriarchal domination. All the categories of Marxism on the other hand are constructed on the basis of the historically transitory character of capitalism (Holloway, 1994: 39).

This must be understood through the central category of 'form'; abstractions such as 'labour' or 'class' are 'modes of existence' or 'forms' of the capital-labour relation. It is through these forms that, however contradictorily, the social relations of capitalism are played out (Gunn, 1991: 84-85). As Holloway (1995: 165) argues, an analysis of capitalism in terms of forms, rather than base and superstructure, helps us to understand capital's historical impermanence as it implies temperance and potential transcendence; this prevents us from simply providing a theory of capitalist reproduction, giving greater emphasis to its instability and fragility due to a lack objective and reified structures.

Despite the material foundations of radical criminology, it cannot be the theory of social transformation it purports to be; it concentrates on the content of social control without attempting to understand, in any substantive way, why it takes the form it does. How can repressive instruments be transformed if we fail to understand how and why they are deployed (Neary and Taylor, 1998)? Bohm (1998), for example, mentions the necessity of a theory of the state for criminology, but then justifies this necessity on the simplistic grounds that a crime is considered a crime against the state rather than against an individual victim of crime (p. 24): he fails to ask the crucial question of *why* the law takes this form. Kay and Mott (1982) suggest that the state is the medium through which the formal constitution of separated subjects and objects takes place. Since exchange in capitalist society is impersonal and generalised, property rights must be established irrespective of time, space, and individual actors and goods. Kay and Mott claim that individual subjectivity is not defined in relation to any particular object, and any object (i.e. any element of the natural world) is subject to the universal right of ownership. This condition of 'absolute property' presupposes the existence of a state, to constitute, formally, persons and things as subjects and objects (Kay and Mott, 1982: 2-4). So, the state is central to the institution of private property, not simply because it acts as a repressive instrument for a propertied class (oppressing other classes through criminal law for instance) but because the two have been intimately linked since their initial appearance. There is interconnectedness between value, the state and law, as modes of existence of the capital labour relation.

Marxist criminology has constrained itself through utilisation of the base-superstructure metaphor: thinking in terms of form means that we need not construct simplistic models of working-class actors reacting to capitalist social structures. Indeed Holloway (2002) challenges the very idea of pre-constituted classes; for him forms of social relations, such as value, money and the state are not established once and for all, rather they are processes, constantly at issue, established and re-established through struggle. Class too is a process, the struggle to class-ify and the struggle against being class-ified; unity is derived from the process of classification, rather than some arbitrarily defined and static notion of a 'common class' (Holloway, 2002: 33-38). Many aspects of criminality could also be seen in this light, as an expression of the mode of existence of the capital labour relation, a process not dependent on the position or composition of particular groups, but on the configuration of antagonism. Little explicit work has been done on the implications of open Marxism for an understanding of crime and deviance; nevertheless, we need not retreat into left realism in light of the problems associated with traditional Marxist criminology: rather we can return to Marxist theory itself and construct a radical theory that moves beyond simply explaining the reproduction of capitalism and the products of its 'objective' structures (such as crime).

Our starting point for a Marxist conception of crime must be work. For Marxists, work is traditionally analysed as a productive economic activity exploited by capitalists. For the open Marxists, too, work is a crucial category of analysis; however, the domination of the capitalist organisation of work extends far beyond direct control by social actors or even beyond the requirements of the market: it permeates our social lives to become the central organising feature of modern social life. Cleaver (2002) challenges the theory that work is being replaced by consumerism as the principal characteristic coordinating people's lives, claiming that it is easy to demonstrate that much of people's lives is dominated by work, and that consumerism is tied to the reproduction of people's lives as labour power, rather than a simplistic ethos of 'working to shop'. Capitalism has been successful in imposing work on our lives in an ever more penetrating fashion: this includes an extension of unwaged work and the extension of 'workfare' within the

welfare state. For Cleaver work is not simply 'the carrying out of tasks which enable people to make a living within the environment in which they find themselves' (Watson, 1987: 83), but a specifically capitalist category; prior to capitalism individuals engaged in many productive tasks, but this was not collectively conceived of as 'work', simply different activities particular to different castes, subcultures or sects (Cleaver, 2002: 141). Work under capitalism refers to no particular activity, but to a form of social domination; the extension of work is part of the 'abstract domination' of capitalism, whereby labour is the object of domination and the method of domination, not through markets but through quasi-independent structures of social relations (Postone, 1993: 125-126).

Money is an expression of this abstract domination (Postone, 1993: 264-265); it governs our social world, and life without it becomes impossible. Positive conceptions of money assume that it can simply be redistributed to rectify shortages and help eliminate poverty: this is the stance of much radical criminology. Negative conceptions, however, understand that we are highly dependent on money, yet we are limited as to the ways in which we can attain it due to its status as an expression of private property and domination: the only ways in which it can be attained are through work or through crime (Neary, 2006:126). Under capitalism, crime is a 'condition of no money or a refusal to accept the law of money or the legal form of money' (Neary and Taylor, 1998: 83); it is the outcome of the capitalist work organisation rendering money the basic principle of human sociability (Neary, 2006: 125). Neary suggests that crime is inexorably linked to property because 'all crime is property crime, including violent crime. The essential characteristic of a criminal act is that it violates the rights of ownership, including the ownership of one's own body' (2006: 125).

This radical theory understands that criminal law is the law of property; this explains the lack of meaningful recompense for the victims of crime, and their lack of a role in criminal law proceedings other than that of a witness. Victims are protected by law only indirectly since the real purpose of criminal law is to uphold the rights of property (Neary, 2006: 125). This provides an avenue for Marxists to enter the debate on issues of violent crime. Furthermore it demonstrates the problems inherent in perspectives, such as left realism, which emphasise the primacy of criminal justice in responding to crime; if criminal law is indeed the law of property then only Marxism as a totally negative critique of the social form of capital can escape simply reproducing capitalist categories in an analysis of crime and punishment. Theories that emphasise the importance of money and property to discussions of crime and punishment recognise the centrality of work in dominating our social as well as our economic lives; an interesting example of the domination of work in criminal justice appears through the practice of community punishment in the form of 'compulsory unpaid work'. Whereas conventional approaches may only judge the scheme in terms of the effectiveness with which it achieves its aims, which include improving the practical skills of the offender and discouraging anti-social behaviour (Home Office, 2003), an open Marxist perspective would contextualise this form of punishment within the wider abstract domination of capitalist work. This would obviously yield very different conclusions about the consequences of community punishment for both the individual engaging in it and for wider society.

CONCLUSION

The radical criminology project has undoubtedly made an important contribution to criminological study. Its critique of positivism was enormously influential and its synthesis of strain and labelling theory, combined with a critique of capitalism, provoked much debate. However, the thesis contained many limitations, as emphasised in the work of the left-realist school and feminist criminology; these criticisms are well known and have become standard responses to Marxist theories of crime. I have suggested in this paper that, important though such critiques are (although they are open to debate and contention), they do not necessarily mean that a Marxist theory of crime is impractical. By aiming criticism at the Marxist theory upon which Marxist criminology has previously rested, a new, more fluid understanding of capitalism can be conceived, unconstrained by relatively narrow thinking in terms of base and superstructure. Open Marxism holds promise for achieving what the original Marxist criminologists hoped to achieve: a theory that lacked deterministic accounts of action (due to its rejection of the base-superstructure paradigm) and one that was committed to abolishing the inequality that created crime (as a theory, not *of* society but *against* it). Recent work emphasising the domination of work, money and property has shown that Marxist thinking still has a great deal to contribute to debates centring on crime and its control.

ACKNOWLEDGEMENTS

I would like to thank Dr Mike Neary (University of Warwick) for the support and insight he lent throughout the preparation of this article. I would also like to thank the two anonymous reviewers for their comments on an earlier draft of this article.

REFERENCES

- Becker, H. (1973), *Outsiders: Studies in the Sociology of Deviance*, New York: Free Press
- Bohm, R. (1998), 'Understanding crime and social control in market economies: Looking back and moving forward', in Ross, J. (ed.), *Cutting the Edge: Current Perspectives in Radical/Critical Criminology and Criminal Justice*, Westport: Praeger, pp. 18-33
- Bonfeld, W., R. Gunn and K. Psychopedis (eds) (1992), *Open Marxism Volume 1: Dialectics and History*, London: Pluto
- Bonfeld, W. (1995), 'Capital as subject and the existence of labour', in Bonfeld, W., R. Gunn and K. Psychopedis (eds), *Emancipating Marx: Open Marxism Volume 3*, London: Pluto, pp. 182-212
- Box, S. (1987), *Recession, Crime and Punishment*, London: Macmillan
- Cameron, D. and E. Frazer (1987), *The Lust to Kill*, Cambridge: Polity

- Carrington, K. (2002), 'Feminism and critical criminology: Confronting genealogies', in Carrington, K and R. Hogg (eds), *Critical Criminology: Issues Debates, Challenges*, Oregon: Willan, pp. 114-142
- Cleaver, H. (2002), 'Work is *still* the central issue! New words for new worlds', in Dinerstein, A. and M. Neary, *The Labour Debate: An Investigation into the Theory and Reality of Capitalist Work*, Hampshire: Ashgate, pp. 135-148
- Cohen, A. (1955), *Delinquent Boys: The Culture of the Gang*, New York: Free Press
- Cohen, S. (1998), 'Intellectual scepticism and political commitment: The Case of radical criminology', in Walton, P. and J. Young (eds), *The New Criminology Revisited*, London: Macmillan, pp. 98-129
- Downes, D. and P. Rock (1995), *Understanding Deviance: A Guide to the Sociology of Rule Breaking*, revised 2nd edition, Oxford: Clarendon Press
- Fattah, E. (1997), *Criminology: Past, Present and Future*, London: Macmillan
- Gunn, R. (1991), 'Marxism and common sense', *Common Sense*, 11, 79-100
- Halfpenny, P. (1992), *Positivism and Sociology: Explaining Social Life*, Aldershot: Gregg Revivals
- Hall, S., C. Critcher, T. Jefferson, J. Clarke and B. Roberts (1978), *Policing the Crisis: Mugging, the State and Law and Order*, London: Macmillan
- Holloway, J. (1994), 'Open Marxism: The Relevance of Marxism today', *Common Sense*, 15, 38-42
- Holloway, J. (1995), 'From scream of refusal to scream of power: The Centrality of work', in Bonefeld, W, R. Gunn, J. Holloway and K. Psychopedis (eds), *Emancipating Marx: Open Marxism Volume 3*, London: Pluto, pp. 155-181
- Holloway, J. (2002), 'Class and classification: Against, in and beyond labour', in Dinerstein, A. and M. Neary, *The Labour Debate: An Investigation into the Theory and Reality of Capitalist Work*, Hampshire: Ashgate, pp. 27-40
- Home Office (2003), 'Enhancing community punishment', available online at http://press.homeoffice.gov.uk/press-releases/Enhancing_Community_Punishment?version=1, accessed 22/08/07, 3:00pm
- Kay, G. and J. Mott (1982), *Political Order and the Law of Labour*, London: Macmillan
- Kelly, L. and J. Radford (1987), 'The problems of men: Feminist perspectives on sexual violence', in Scraton, P. (ed.), *Law, Order and the Authoritarian State: Readings in Critical Criminology*, Milton Keynes: Open University Press, pp. 237-253
- Lemert, E. (1951), *Social Pathology: A Systematic Approach to the Theory of Sociopathic Behaviour*, New York: McGraw-Hill

Loeber, R. and D. Farrington, (2000), 'Young children who commit crime: Epidemiology, developmental origins, risk factors, early interventions, and policy implications', in *Development and Psychopathology*, 12 (4), 737-762

Maguire, M. (1997), 'Crime statistics, patterns and trends: Changing perceptions and their implications', in Maguire, M., R. Morgan and R. Reiner (eds), *The Oxford Handbook of Criminology*, Oxford: Clarendon, pp. 135-188

Messerschmidt, J. (1997), *Crime as Structured Action: Gender, Race, Class and Crime in the Making*, London: SAGE

Muncie, J. (1999), *Youth and Crime: A Critical Introduction*, London: SAGE

Neary, M. and G. Taylor (1998), *Money and the Human Condition*, London: Macmillan

Neary, M. (2006), 'Crime and the university: The story of Sort'd, a community – (higher) education project', *Probation Journal*, 53 (2), 124-136

Neocleous, M. (2000), *The Fabrication of Social Order: A Critical Theory of Police Power*, London: Pluto

Postone, M. (1993), *Time, Labour and Social Domination: A Reinterpretation of Marx's Critical Theory*, New York: Cambridge University Press

Taylor, I., P. Walton and J. Young (1973), *The New Criminology: For a Social Theory of Deviance*, London: Routledge

Watson, T. (1987), *Sociology, Work and Industry*, 2nd edition, London: Routledge

Welch, M. (1998), 'Critical criminology, social control and an alternative view of corrections' in Ross, J. (ed.), *Cutting the Edge: Current Perspectives in Radical/Critical Criminology and Criminal Justice*, Westport: Praeger, pp. 107-121

Young, J. (1975), 'Working class criminology', in Taylor, I, P. Walton and J. Young (eds), *Critical Criminology*, London: Routledge, pp. 63-94

Young, J. (1998), 'Breaking Windows: Situating the New Criminology', in Walton, P. and J. Young, *The New Criminology Revisited*, London: Macmillan, pp. 14-46

To cite this paper please use the following details: Worrall, C. (2007), 'Crime and Capital: Rethinking a Marxist theory of crime and punishment', *Reinvention: a Journal of Undergraduate Research*, Launch Issue, <http://www.warwick.ac.uk/go/reinventionjournal/pastissues/launchissue/paper4> Date accessed [*insert date*].

© Reinvention: a Journal of Undergraduate Research (2007). Full copyright remains with the author.