

SOC 3290 Deviance
Lecture 15: Conflict Theory 2: Marxist Conflict Theory

Today we will cover four basic topics:

- (1) Marx on deviance and social control;
- (2) Applications of Marxist theory;
- (3) Marxist theory and social policy; and
- (4) Critiques of Marxist conflict theory

Marxist Critical Thought: An Introduction

Marxist social theory is rooted in the 19th century writings of Karl Marx. Marx experienced first hand the alienation of those who were structurally denied the power to shape their own economic, political and social destinies (e.g. anti-Semitism, repression of human rights, political censorship, etc.). As a result, efforts to critically understand and alter the oppressive character of hierarchically imposed social structures were important to him from a young age. This was expressed in his early idea that to fully realize the power of one's own being, one must encourage the reciprocal expression of power by others as well.

Marx's concern with understanding and changing the social organization of unequal and unjust social relations led him beyond the boundaries of existing social theory. In particular, it led him to confront both the idealism of Georg Hegel and the materialism of Ludwig Feuerbach.

Hegel viewed human life as but a moment in the dialectical unfolding of absolute spirit, and evolution-like advance toward a state of perfect reason. His "dialectical" method underscored the critical role of contradictions and their synthetic resolution as a driving force in human history. These served as but a catalyst for the self-realization of absolute spirit in its totality.

Materialists, such as Feuerbach, opposed this view of human life as part of a progressive unfolding of rational spirit. Instead, in his view, all things are nothing but the effects of a struggle for material existence. Hence, Feuerbach saw Hegel's idea of absolute spirit as an illusion projected by the concrete organization of material forces. Basically, Feuerbach argued that spirit or thought proceeds from concrete material being, not being from thought.

Marx borrowed from both of these German philosophers in developing his own social theory. From Hegel he took the idea that human history proceeds according to a dialectical movement in which contradictions generate structural strains towards change or social transformation. But, unlike Hegel, Marx rejected the realm of spirit. Instead, he drew on Feuerbach's theories about the origins of all things in the concreteness of material existence. This enabled him to turn Hegelian thought "on its head." Synthesizing the insights of Hegel and Feuerbach, Marx produced a new theoretical viewpoint, arguing that the central force behind

history was the social production of concrete economic relations. In this, Marx emphasized the importance of the dominant social forms by which we humans economically secure our material existence in the world. These social forms, or *modes of production*, were said to permeate all other aspects of human social life.

Marx's theorization has been of great practical and theoretical importance. Practically, Marx spent much of his life as a political activist struggling against the material inequalities of 19th century capitalist economic relations. Theoretically, he labored to show the historical and social basis for capitalism's systemic inequalities, as well as to identify economic, political, and cultural contradictions which might (dialectically) undermine capitalist exploitation.

Marx (& Engels) wrote that: "The (written) history of all hitherto existing society is the history of class struggles. Freeman and slave, patrician and plebeian, lord and serf, guild-master and journeyman, in a word, oppressor and oppressed, stood in constant opposition to one another, carried on an uninterrupted, now hidden, now open fight, a fight that ended, either in a revolutionary reconstitution of society at large, or in the common ruin of the contending classes."

They note that in the earlier periods, there is almost everywhere a complicated arrangement of society into various orders, a gradation of social rank (e.g. roman patricians, knights, plebeians and slaves, feudal lords, vassals, guild-masters, journeymen, apprentices, and serfs). In contemporary (i.e. 19th century) "bourgeois" society, new classes, new conditions of oppression and new forms of struggle have merely replaced the old ones.

Yet, contemporary society has simplified the class antagonisms: society generally is splitting more and more into two great classes facing one another: bourgeoisie and proletariat.

At the core of Marx's thought lay two critical theses: (1) that the exploitative dynamics of capitalist society revolve around the theft of workers' "unpaid labor" by those who own and/or control the dominant modes of economic production; and (2) that, forced to sell their labor like so many commodities on the market, workers would assume a mystified view of themselves and their relations to others, as if these relations were "naturally" governed by the logic of calculated economic exchange. The first of these theses is known as the theory of the surplus value of labor, the second refers to the reification of lived historical relations into seemingly "natural" facts ("the fetishization of commodities").

Marx died in 1883, long before the realization of either his complex theoretical project or its practical political objectives. Nonetheless, over a century later and following failed attempts to turn his ideas into state-socialist systems around the world, Marxist theory still inspires critical thought and action.

But how does this theory of political economy relate to deviance and social control? The Marxist image of deviance suggests that the historical existence of material existence is a primary factor in determining the style and content of social control. Following Marx, this

perspective asserts that the foremost task of any society is to secure the conditions of its own material survival. This means that it has to have sufficient physical or material resources, enough workers, and a workable technology. All of these things are necessary, but not sufficient for the survival of the group. All of these things must be organized if they are to provide for a stable economic environment. Economic production is a ritual social art, structured by social relations. The way that this structuring occurs is what Marx referred to as the “mode of production.” Since it is essential to economic survival, the mode of production is said to influence all other social relations - be they legal, religious, sexual, or whatever. How the mode of production influences relations of social control is central to critical (i.e. Marxist) theories of deviance.

The Marxist interpretation of history stresses the impact of relative equality or inequality in economic life on the entirety of social life. So, in early societies where everyone who was capable worked together for group survival - contributing “according to their ability” and sharing equally in the spoils - trouble between individuals was trouble for the group as a whole. Hence, the burden of deviance and the responsibility for social control were truly a collective matter, where all lost and gained in proportion to the collective actions of others. Yet, over time, this egalitarian structuring of economic relations became somewhat fragile as more efficient technologies evolved. These freed the time of some persons to administer and live off the labor of others. Some exploited this technological advantage. Once one class of persons gained the upper hand in controlling society’s economic mode, the course of human history changed. Banished was the recognition of a collectively shared fate. No longer would social control arise from the needs of all and contribute to the good of everyone. Some classes of people, by virtue of their greater structural control of economic relations, would now benefit more than others through the existing relations of social control. This inequality was accompanied by the rise and bureaucratic proliferation of the institutions of centralized state authority. Operating to ensure a stability no longer guaranteed by the equal benefits of socially shared work, state institutions worked hand in hand with the institutions of hierarchical economic advantage. The economy thus became politicized as one class of human actors sought to ritually authorize and perpetuate its control over others.

Marx felt that this institutionalization of an unequal mode of production affected the entire network of human social relations. The division between those who controlled and those who were controlled drove a wedge between through the experience of collective cooperation. People were put in structural positions of competition, ones in which they would either win or lose from the ritual reproduction of existing economic relations. Yet, this structured conflict wasn’t always experienced as such, since social institutions such as education or religion produced ideological systems of thought which justified or at least mitigated the experience. In this sense, Marx argued that dominant modes of both formal and everyday knowledge were subtly shaped by the economic mode of a particular historical period.

Marx sees social responses to human trouble and deviance as being rooted in these self-same structural economic divisions. Acts which threaten dominant economic relations are those which provoke the strongest controls. As such, the production and control of deviance is directly

related to the prevalence of structured economic inequality.

In *The German Ideology* Marx and his associate Friedrich Engels wrote a social history of dominant economic modes of production through slave, feudal and capitalist economies. Each of these unequal structures created social divisions between those who controlled and those who were subject to control by economic activity. An exploitative upper class was structurally differentiated from those it economically dominated: in slavery through total domination; in feudalism, by the control of subsistence through Lords' taxes on serfs; and in capitalism through the commodified control of wage labor. Approaches to deviance and social control were structured in a parallel fashion: feudal law was primarily concerned with issues of land and tenure; capitalist law is dominated by concerns with the rights of property owners. Either way, the primary targets of social control are those who resist, disrupt, or otherwise threaten the existence of structured economic inequality. This is the central thesis of Marxist theories of deviance. For example, Taylor, Walton and Young assert that a Marxist theory of deviance would be concerned to develop explanations of the ways in which particular historical periods, characterized by particular sets of social relationships and means of production, give rise to attempts by the economically and politically powerful to order society in particular ways. It would ask who makes the rules and why.

Marx himself did little in the way of any formal analysis of deviance or crime. But what writing he did suggests that both deviants and control agents are inextricably bound to a larger political-economic order of struggle. Hence, "Crime, i.e. the struggle of the isolated individual against the prevailing conditions, is not the result of pure arbitrariness. On the contrary, it depends on the same conditions as that of rule." This doesn't necessarily mean that Marx romanticized criminals as self-conscious rebels - indeed he often viewed criminals as a demoralized and unproductive lot. Other times he ironically pictured the criminal as a contributor to social productivity by providing jobs for control agents and inventors of security devices. Hence, he cynically argued that "the criminal produces not only crime but also criminal law...(and professors, and textbooks, and so on)... The criminal therefore appears as one of those natural 'equilibrating forces' which open up a whole perspective of 'useful' operations."

In both irony and biting social criticism, Marx viewed crime and deviance as inseparable from the problems of the political economy. To reduce deviance one must first erase structural economic inequality. For Marx this implied structural transformation in the direction of socialism - the construction of democratic economic rituals in which the needs of all rather than the demands of a few would guide the mode of production. This vision also guides critical perspectives on crime and deviance.

Applications of Marxist Imagery:

One of the first systematic attempts to apply Marxist theory to the problems of deviance and crime is found in the work of Willem Bongers (1876-1940). Bongers theorized that lower class criminal activity arose in response to the miserable social conditions that capitalism foisted on

those it economically exploited. However, he also suggested that the dominant cultural logic of capital - that of egoism and greed - itself promoted high rates of crime among those both advantaged and disadvantaged by capital.

Bonger was but one among many European Marxists linking crime to capitalist economic relations (e.g. Rakowsky, Turati, Battaglia, Colezanni, Loria, Niceforo, Bebel, Lafargue, and Van Len). Of particular importance, however, was Georg Rusche and Otto Kirchheimer's study *Punishment and Social Structure*. Here, documented changes in early capitalist labor markets were related to changes in the form of punishment and social control. When labor was in short supply and the bargaining capacity of the working class the strongest, the legally available forms of punishment appeared most humane. But when economic conditions worsened, so did the harshness of punishment (e.g. prison conditions became brutal and the death penalty was widely applied). This was explained by the principle of "less eligibility," suggesting that for criminal sanctions to be effective, penal conditions must be worse than the actual living conditions for the poorest sectors of labor. Otherwise the poor would have no motivation to sell their labor to the capitalists who exploited them.

In turn, Soviet legal scholar E.B. Pashukanis examined why it was that terms of imprisonment had become the standard form of punishment in capitalist society. He argued that by its nature capitalism "commodifies" the experience of time. Capitalist culture converts the flow of human experience into marketable units of measured labor. As such, the principle of equivalent requital, which guides decisions about the length of punishment, is closely (though unconsciously) associated with the abstract idea of human labor measured in terms of time.

Despite these European writers, in the U.S. the influence of Marxist thought in the area of deviance wouldn't emerge until the early 1970's. Some of the influential American writers emerging at this time include Richard Quinney, Tony Plaat, Paul Tagaki, Marlene Dixon, Herman and Julia Schwendinger, Jerome Hall, Raymond Michalowski and Edward Bohlander, and William Chambliss. Due to their efforts, the influence of Marxist criminology was soon widespread.

The American Marxist approach was, however, nowhere more evident than in the work of Richard Quinney. Beginning in 1973, he asked the seminal question: "what is the meaning of crime in the development of capitalism?" He argues that myths embedded in capitalist folklore (e.g. the individualistic, capable "lone ranger") prevent us from recognizing the structural barriers which deny most people control over the historical conditions of their own existence. Marxist theory demands that such myths be abandoned in order to prepare for a more power-reciprocal form of social order. To this end, Quinney produced a variety of Marxist critiques of crime, criminology, and crime control. The most succinct of these is *Class, State and Crime* (1977) in which Quinney connects the organization of the state crime control apparatus to capitalist economics, and theorizes the lawbreaking of both the powerful and the powerless in relation to the ceaseless struggles for advantage within capitalism itself.

More elaborate Marxist models were later formulated by Steven Spitzer and Raymond Michalowski. Spitzer, for example, suggests that potentially deviant “problem populations” arise within the capitalist economy in two ways: (1) through the fundamental contradictions of the capitalist economic modes (e.g. a surplus worker population without a stake in the system); and (2) through the indirect contradictions produced by social control institutions (e.g. the rising expectations, critical awareness or alienating disenchantments produced by mandatory public schooling). Spitzer also identifies factors which increase the likelihood that troublesome populations will be officially controlled as deviants (e.g. the extensiveness and intensity of existing state control apparatus, the size and level of threat posed by the “problem population,” the effectiveness of informal civil controls vs. those of the state, the availability and effectiveness of alternative types of official processing (such as public works projects or the draft) and/or parallel control structures (private security, vigilantes), and the social utility of problem populations (as tension drains or scapegoats).

Michalowski’s work also directs attention to the dynamic relations between the capitalist economic mode, the hierarchical workings of state control, and the hegemonic character of various cognitive, emotional, and bodily ritual processes. He argues that it is “the political economy of a society in connection with its cultural history that determines the definition of what acts are adaptive, rebellious or maladaptive.” Yet, to of any particular individual or group requires a critical examination of the “objective, yet dynamic” (i.e. interactive and forever contestable) connections between individual experience and the historically specific character of material and social relations” (e.g. being black in the U.S. isn’t simply about having darker skin, but a set of social and material relations between black and white Americans extending from the early slave-owning times to the present. Analogous arguments can be made about the poor: poverty is the outcome of the particular material and social relations that characterize American capitalism).

Thus, in the end, the Marxist approach locates deviance and control in recurrent historical struggles to control material existence. As a mode of critical thought, Marxism is also associated with strategic critical action. The solutions proposed by Marxism are predicated on transforming society, on constructing socialist political and economic institutions. Hence, the famous words of Marx and Engels, at the very end of the Communist Manifesto: “Workingmen of all countries unite, you have nothing to lose but your chains.”

Marxist Theory and Social Policy:

Unlike liberal conflict theorists, who advocate making changes within the existing social and economic system to render things more equal, Marxist theorists, not surprisingly, assume that meaningful social change is impossible without a massive restructuring of society from capitalism to socialism. Marxists advocate dismantling, indeed overthrowing the capitalist economy and restructuring society on a socialist model wherein there is meaningful equality in economic and political decision making. Once the pro-capitalist state is dismantled and the power to criminalize is eliminated, crime will disappear, or at least be substantially reduced.

Evaluation of Marxist Conflict Theory:

Marxist conflict theory, in its earlier versions, took the instrumentalist position - that the state was merely an instrument or tool in the service of a unified, conspiratorial, ruling class. This, naturally, invited much criticism, and as a result, the more refined structuralist position emerged. This did not necessarily view the ruling class as a cohesive, conspiratorial group, nor the state as merely a simple instrument (i.e. it had relative autonomy). Instead, it viewed the ruling class as composed of class factions, segments that did not always agree with one another nor have the same interests. As such, while the state often served to protect the interests of the capitalist class as a whole, it could take positions (or even enact laws) that didn't serve some factions. This made for a much more empirically defensible position than the earlier instrumental "conspiracy theory."

However, there have been other critiques of Marxist conflict theory. Some argue, for example, that laws only serve the interest of ruling elites. What about laws against murder, sexual assault, and the like? These are in nobody's interest to permit, and, some argue, might be better explained by consensus theories.

Some Marxists would respond that these behaviors are merely political responses to repression and marginalization, but critics shoot back that such characterizations "romanticize" crime - and that this is immoral. Moreover, it would be hard to defend the position given that few street criminals share the view of themselves as Robin Hoods, political prisoners, and freedom fighters.

On the social policy front, Marxist conflict theories have been criticized for their lack of realism (e.g. "All will be well after the Revolution"). For one thing, crime never disappeared in so-called socialist societies such as the USSR - if anything, it thrived and the state responded with very repressive measures. The whole issue then descends into a diatribe between some Marxists who say that these were not "real" socialist states (which would eliminate or severely reduce crime), and others who claim that they were. Needless to say, this gets us nowhere.

Finally, there is the classic empirical critique. Marxist social theory is said to be a vague and untestable *ex post facto* explanation. This means that it is all put together after the fact. It is very easy to make theories fit the facts when the facts are already known. Yet such propositions are untestable - in the sense that they cannot be disproved scientifically. There are no tests to establish whether they are right or wrong - and the theory tends to be flexible enough to cover any contingency that emerges.

Of course, Marxists argue that theory is not about explanation or prediction so much as it is meant to raise our consciousness of unfairness, inequality and harm. Nevertheless, this does not do away with the criticism that such approaches are more ideology than legitimate explanation.

However, to be fair, Marxist social theory has made some valuable contributions to the study of deviance. It has, for example, contributed greatly to sociological insights into inequality and the uses/misuses of legal power. It has also created much interest in the illegal conduct of business and political elites. Perhaps more importantly, it has focuses attention on ideology's previously ignored role in both shaping social consensus and social reality in relation to deviance and crime.

In the end, Marxist theories of deviance and crime, along with critics' responses, have enlivened sociological debates linking power, law, and social control. Such approaches have inspired new forms of critical thinking and have encouraged sociologists and criminologists to reflect on their own roles vis a vis the criminal justice industry.