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# Book Reviews: Class, State, and Crime

Richard M. Pfeffer  
*Johns Hopkins University*

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CLASS, STATE, AND CRIME. By Richard Quinney.\* David McKay Company, Inc., New York, New York. 1977. Pp. 179. A Review Article by Richard M. Pfeffer.†

Richard Quinney's *Class, State, and Crime* is a courageous, outrageous, richly illuminating, no-nonsense book with great value for a wide range of readers. The book simultaneously is a pioneering effort to understand from a Marxian perspective "the meaning of criminal justice in theory and practice . . . in the United States" (p.v) and an effort to develop Marxian theory and practice by exploring the essential meanings of our system of criminal justice. These inextricably related aspects of the unifying revolutionary thrust of the book are captured in Quinney's aphoristic conclusion that "[t]he *ultimate meaning* of crime in the development of capitalism is the need for a socialist society" (p. 61).

If that sounds like nonsense, it is supposed to, for the book breaks with "the conventional ideology of criminal reality" (p. 105), which we have learned to accept as reality itself. We have been socialized to exist in a liberal, capitalist society, and like civilized men and women everywhere, we have thought and been taught to conceive of the world in ways congruent with and subservient to the society in which we live. Notwithstanding that most of us have been led to believe we are familiar enough with Marxian analysis to justify the ideologically-based contempt we may feel for it, the book's mode of analysis, its related political standpoint, and its very language are alien to most of us.

*Class, State, and Crime* consequently does not lend itself to presentation in a standard review format. The usual summary approach would badly misrepresent the book's complex appreciation and arguments, reducing them to what for an American audience might sound like a series of slogans. Such a disservice expectably would only confirm the false sense of familiarity and the attendant contempt. It would not facilitate communicating what at best is difficult to communicate: a radically different, yet very useful way of understanding the world as it exists.

Quinney has attempted to understand our system of criminal justice in terms of the historical development and current contradictions of capitalism. The book he has written, despite certain flaws discussed below, is an excellent beginning. For those who already suspect that something is terribly wrong with our system of criminal justice and that their own inherited mode of understanding it is

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\* Visiting Professor, Brown University, specializing in criminology.

† B.A., 1958, Yale University, L.L.B.; 1962 Harvard Law School; Associate Professor, Johns Hopkins University; Member of the New York State Bar; author, most recently, of the forthcoming book *Working for Capitalism*.

fundamentally inadequate, the value of the book will be apparent. The problem for them, then, will be what to make of the book's profound insights.

On one level, the book is the beginning of an answer to a series of intimately related questions that increasingly impinge upon our daily lives and consciousness: Why has crime increased so dramatically in the United States in recent decades? Why have social controls been intensified? Why do our major economic, political, and social institutions increasingly seem unable to solve our most serious life problems? Why is the state in a period of endemic fiscal crisis? Why do people daily feel more alienated and powerless? Why, in short, must crime be understood in terms of what our society as a whole has become? And how might crime complexly relate to what may become of America?

*Class, State, and Crime* is organized into five chapters, entitled "Criminal Justice in Capitalist Society," "Crime and the Development of Capitalism," "Class Struggle and the Capitalist State," "The Political Economy of Criminal Justice," and "Beyond Criminal Justice." The American system of criminal justice is presented by Quinney as a necessary development and "principal feature" of advanced capitalist society. Where solutions to societal problems cannot be found, controls must be imposed. Criminal justice, as we know it, is a response to certain severe problems created, but not resolvable by late capitalism.

In chapter one, Quinney seeks to demystify our history by exposing that "capitalist justice secures the capitalist system" (p. 2). Notions of justice, he argues, are not transcendent absolutes, but are "materially based" and "rooted in social existence." American justice "plays a crucial role in establishing and perpetuating social order" and is "an ideological and practical instrument in class struggle" (pp. 1-2). The prevailing notion of criminal justice "protect[s] acknowledged 'rights' within the current order and . . . distribut[es] punishment according to desert" (p. 22). This is altogether different from an "idea of justice as distribution according to need" (p. 22).

The meaning and function of capitalist justice is embedded in innovations during the last decade in the system of social control, now euphemistically referred to as "the criminal justice system." This system was established to combat the crime that is rising with capitalism's deepening crisis. The criminal justice movement is "a state-initiated and state-supported effort to rationalize mechanisms of social control" (p. 10). Involved are new technologies of crime prevention, alternatives to formal legal processing, citizen participation in crime control, and ideological justifications for intensified social control. The thrust of these justifications is to make swift and certain punishment of those defined as criminals appear "morally tolerable" and rational. Based upon a "new utilitarianism," this is

an "attempt to reestablish a justice appropriate to a former age" of capitalism in the hope of preserving "the contemporary capitalist order" (p. 23).

What is singularly missing from the social theory and sociological research in support of this movement is a "critical understanding." The existing social order is taken as a given, and within it repression is justified: "Punishment becomes the solution when our vision is confined within the problem itself" (p. 20). The irony of the solution, of course, is that it "can only exacerbate the conditions of our existence" (p. 17). To go beyond the capitalist confines of the problem and to introduce a "critical understanding" and an appreciation of "how things could be" requires Marxism. For, "Marxism is the one philosophy of our time that takes as its primary focus the [inherent] oppression of capitalist society. It is the one analysis that is historically specific and locates contemporary problems in the existing political economy" (p. 25). Marxism, Quinney argues, transcends the narrow "juridical or legal" boundaries of the concept of justice which "fails to grasp the material conditions, the real basis of society" (p. 26). To comprehend our system of criminal justice, we must understand it in its necessary and historically specific relation to the American capitalist system of exploitation, which "depends on 'surplus value,' on unpaid labor." And we must come to understand "capitalism as a whole and . . . its position in human history" (p. 27).

Thus we are forewarned that what follows in *Class, State, and Crime* is radically different in scope and focus from the conventional offerings of leading theorists of crime and social control. Since "crime is basically a material problem" (p. 31), the study of crime, Quinney states early in chapter two, must involve "an investigation of such natural products and contradictions of capitalism as poverty, inequality, unemployment, and the economic crisis of the capitalist state" (p. 32).

With his sophisticated, dialectical-historical analysis of capitalist development, Quinney explores the basic question of "*the meaning of crime in capitalist society*" (p. 33). After a needed but inevitably insufficient introduction to crucial Marxian concepts and methods, he argues that in a society in which one class rules on the basis of its ownership or control of the means of production and its consequent expropriation of surplus value from another, various kinds of domination and repression are required to sustain and reproduce that order. Crime control, as a crucial form of state action aimed at securing and reproducing the capitalist system of production and exploitation, "becomes the coercive means of checking threats to the existing social and economic order, threats that result from a system of oppression and exploitation" (pp. 45-46).

The use of coercive force, of course, is only one way to maintain and reproduce society. The manipulation of consciousness to secure

and legitimate the existing order is a more subtle form of domination, the need for which also grows out of the innately conflictual quality of class-based social relationships in capitalist society:

Those who rule in capitalist society — with the assistance of the state — not only accumulate capital at the expense of those who work but impose their ideology as well. Oppression and exploitation are legitimized by the expropriation of consciousness; since labor is expropriated, consciousness also must be expropriated. In fact, *legitimacy* of the capitalist order is maintained by controlling the consciousness of the population (p. 47).

In order to deal with the problems created by a capitalist economy, the state has become a "welfare state," providing a variety of "social services" to help secure the established order. Since, for example, capitalism systematically produces a surplus population of unemployed, welfare must be expanded "to control the surplus population politically" by making it increasingly dependent on the state (p. 48). But, like all forms of control and manipulation in capitalist society, welfare is no permanent solution. As Quinney states, it "cannot completely counter the basic contradictions of a capitalist political economy" (p. 50). In the long run, he argues, contradictions intensify, and controls break down.

In the normal course of maintaining the system, crimes of two basic sorts are committed: crimes of domination and crimes of accommodation. Crimes of domination include those committed by police in the course of state control, economic crimes such as those relating to price fixing and pollution, Watergate-type crimes by officials, and crimes of warfare and the like.

In response to this domination, the exploited class commits acts of accommodation and resistance. Their crimes, consciously or not, stand "in relation to the capitalist order of exploitation and oppression" (p. 53). Many of their crimes of accommodation are parasitical in nature, "predatory crimes" like burglary, generally committed "out of a need to survive" (p. 54). Others are "personal crimes" like rape, commonly "directed against members of the same class . . . by those . . . already brutalized by the conditions of capitalism" (p. 54). Particularly for the unemployed, the thwarting of basic human needs leads to psychic disturbance and "outright acts of personal and social destruction" (p. 57). Unemployment produces criminality, epitomizing the more general proposition that most "crimes among the working class . . . are actually . . . an attempt to exist in a society where survival is not assured by other, collective means" (p. 58).

With the state on the side of the capitalist class, much of the history of working class struggle against capitalist conditions of

production and life "is defined as criminal" (p. 59). Many crimes, like sabotage in the workshop, are defensive acts of resistance to the capitalist system, mostly committed by the working class. When fully politically conscious, such acts are directed not simply at aspects of the system but to overthrow it.

The alienation that has its source in the workplace now extends to all realms of life: "Ownership and control of life in general have been surrendered to alien hands. The production of life itself under capitalism is alienated" (pp. 55-56). Crimes of resistance reflecting pervasive alienation presumably, therefore, occur in various areas of life. Crime, thus, is related in an historically concrete way to the intertwined development of capitalist class domination and working class accommodation/resistance. Within that dialectic, "[v]ariations in the nature and amount of crime occur in the course of developing capitalism. Each stage in the development of capitalism is characterized by a particular pattern of crime. The meaning and changing meanings of crime are found in the development of capitalism" (p. 61).

To gain a Marxist understanding of crime as predicated on the political economy of capitalism, one must begin by analyzing this fundamental, antagonistic relationship between the capitalist and working classes. Since capitalism is in a constant state of transformation, however, class analysis of the accompanying changes in that continuing relationship demands recurrent elaboration. The growth of capitalism, despite certain appearances to the contrary, has increasingly divided our society into objectively opposed classes, and inevitably reproduced a pattern of class conflict that persists even in prosperous times when it is diffuse, complex, and largely unorganized. This, in turn, Quinney argues in chapter three, requires under late capitalism that the state regulate class struggle.

In a very nuanced, if expectably not altogether satisfactory, discussion of the meaning of class and the nature of class structure in the United States today, Quinney argues, as Marx foresaw, that "the overwhelming proportion of the population of advanced capitalism consists of the working class" (p. 76). Notwithstanding much "talk about the 'new middle class' and the 'new working class,'" (p. 76) and notwithstanding the "hierarchical fracturing" of a working class that reaches from unskilled office, service, and industrial workers, through skilled workers, to technical workers, and at its boundaries up into middle-level management, salaried professionals, and middle-level civil servants (pp. 72-73), proletarianization in fact is being extended to workers in all areas of economic life. What increasingly is being created is a huge working class whose members in daily life objectively share more in common than subjectively divides them.

Beneath all the regularly employed is an "industrial reserve army" of unemployed, underemployed, sporadically employed, and part-time employed, estimated to run as high as 13 million. There are additional millions without a chance of employment, who, unable to seek jobs, "are forced on to the welfare rolls." This "pauperized mass" presently amounts to approximately 15 million human beings and "is the segment of the working class that readily turns to crime in the struggle for survival" (p. 71).

Atop these millions is a capitalist class consisting of "relatively few people": "1.6 percent of the population owns 80 percent of all corporate stocks and government bonds"; "only slightly over 1 percent of the labor force is composed of corporate owners and top-level managers" (p. 74). This class peoples and directly or indirectly dominates our major institutions. Within this capitalist class is a powerful monopoly sector, numerically comprising about one-third of the class, which controls or crucially influences the international and national economies. The purpose of the class as a whole "is to make the world safe for the capitalist mode of production" (p. 76).

The state is a vital means to that end. Since the state "defines as criminal that activity which violates the interests the state is promoting and protecting . . . , [a] theory of crime necessarily presupposes a theory of the state" (p. 78). A Marxian theory of the state, Quinney argues, is being reformulated to take account "of the changing nature of the state under advanced capitalism" (p. 79). The theoretical problem is to explain in what sense the increasingly autonomous capitalist state "really is a *capitalist* state and not merely a state in capitalist society" (p. 80). Writing as if the distinction between the simplistic vision of the state as a crude instrument of capitalist class domination and the more complex vision of the advanced capitalist state as a coordinating agency functioning to reproduce capitalist society as a whole (p. 79) was critical, Quinney quotes with approval a statement by Claus Offe and Volker Ronge:

The state does not patronize certain interests, and is not allied with certain classes. Rather, what the state protects and sanctions is a set of *rules* and *social relationships* which are presupposed by the class rule of the capitalist class. The state does not defend the interests of one class, but the common interests of all members of a *capitalist class society* (p. 83).

In becoming "the primary instrument for advancing capitalism" (p. 86), the state is subjected to greater demands for state action. It has to perform functions that increasingly are contradictory: facilitating private capitalist accumulation and maintaining the social peace and the system's legitimacy. "Maintaining *social peace* while promoting the capitalist social order is both a costly and

a problematic task" (p. 82) which the state more and more appears unable to sustain economically. Hence the fiscal crisis of the state becomes endemic as the capitalist state is torn by contradictions and crises:

By its very nature, the welfare state generates more problems than it can solve. It cannot integrate the displaced population produced by the late capitalist mode of production. More state control and repression become necessary. The welfare state phase of the capitalist state is in transition.

What is emerging is a new strategy of capitalist state policy. The control function of the state is being revised and expanded. Embodied in this development, however, is a dialectic between increased control and resistance to that control. . . . The expanded function of the state is a source of crisis in itself. The attempt by the state to control the problems generated by late capitalism is the basis of increased social conflict and political struggle (p.84).

Failure and crisis demand "development of a new mode of human domination," ideological in the first instance, but also "in the physical control of our daily lives, in the practice of criminal justice" (p. 86). Expanded state control, in turn, becomes self-defeating. It politicizes the struggle between classes and contributes to "a consciousness that questions the legitimacy of the existing system" (p. 87). Although capitalist politics, like capitalist work, are alienated — the people's common power is absorbed by our political institutions and used to dominate the majority for purposes alien to it — political alienation intensifies the state's crisis of legitimacy. Paradoxically, "the capitalist state is weakened by its own domination" (p. 88).

Alienation will be transcended only when the capitalist state is rejected and capitalist life is transformed. The problem in the long-term transformation of capitalism into socialism involves "developing a class consciousness in the political struggle" (p. 89). For a Marxist criminology, it becomes important to understand under what circumstances and why crime plays positive and negative roles in the transformation.

In confronting this explosive issue, Quinney does not romanticize crime and criminals. In terms of consciousness, actions by the working class in response to capitalism "range from unconscious reactions to exploitation, to conscious acts of survival, to politically conscious acts of rebellion" (p. 93). Since conscious human activity is so vital to revolutionary transformation and since consciousness cannot simply be deduced from "the material conditions of class experience" (p. 94) but remains "problematic," the crucial issue is "when and how does crime become a [conscious] *force* in class



struggle" (p. 93). Quinney confronts "the problematics of consciousness of criminality" for the revolutionary purpose of assisting "in the transformation of unconscious criminality into conscious political activity" (p. 94).

For such purposes we must better understand the specific, historical circumstances within which particular forms of political consciousness tend, especially during crises, to develop under conditions of class oppression. Referring to various historical studies concerning "primitive" forms of social agitation and the role of criminality in the revolutionary process, Quinney concludes that some criminality in particular historical contexts may, but need not be, "a transition to the further development of political consciousness" (p. 97). Criminality, as Engels saw in his own studies, itself is contradictory: "criminality is a primitive form of insurrection, a response to deprivation and oppression." But in itself, criminality "is not a satisfactory form of politics" (pp. 98-99). Quoting from Steven Marcus's *Engels, Manchester, and the Working Class*, Quinney continues:

Crime is . . . an incomplete but not altogether mistaken response to a bad situation, . . . coming into active existence only by overcoming the resistance of inherited values and internalized sanctions. . . . Nevertheless, an inescapable part of the meaning of crime is its essential failure. It is insufficiently rational and excessively, or too purely symbolic and symptomatic. Most of all, in it the criminal remains socially untransformed: he is still an isolated individual pursuing activities in an underground and alternate marketplace. . . . In no instance is he capable of organizing a movement to withstand the institutional forces that are arrayed against him. He lives in a parallel and parasitic world whose horizon is bounded and obscured by the larger society upon which it depends (p. 99).

This failure of crime that does not become a conscious political force "is contradicted by the fact that for some people criminality is the beginning of a conscious rebellion against capitalist conditions" (p. 99). Since the transition from conventional crime to conscious class struggle occurs in certain communities, in particular stages of capitalist development under concrete conditions of working-class life and exploitation, Quinney demands that we engage in appropriate research to better understand and to further this process. In doing such research, we must remain alive to the implications of broad changes in the forms of capitalist production, which affect the kinds of work processes and workers necessary for capitalist accumulation. Today, for example, so-called "white-collar workers" have been relegated to a position no longer superior to "blue-collar workers." Increased white-collar crime, we may hypothesize, "is committed in response to new forms of labor exploitation" (p. 103).

If crime must be understood in its relation to the capitalist system and in its potential contribution to transforming that system, Quinney concedes that “[m]uch, if not most, crime continues to victimize those who are already oppressed by capitalism and does little more than reproduce the existing order” (p. 103). Such crime “remains counter-revolutionary.”

Nevertheless, because social problems produced by capitalism increase with its development, the state’s repressive apparatus becomes ever more important to regulate class struggle:

Policies of control — especially crime control — are instituted in the attempt to regulate problems and conflicts that otherwise can be solved only by social and economic changes that go beyond capitalist reforms. Criminal justice, as the euphemism for controlling class struggle and administering legal repression, becomes a major type of social policy in the advanced stages of capitalism.

Emerging within the political economy of late capitalism is a political economy of criminal justice (pp. 107-08).

This political economy of criminal justice is the subject of chapter four.

The criminal justice system “expands to cope as a last resort with the problems of [the] surplus population” (p. 109). With the intensification of capitalism’s contradictions, expenditures by the state for criminal justice necessarily have expanded to take up a greater proportion of the state’s budgetary expenses: “Since the declaration of the war on crime in the mid-1960’s, the amount of money spent on criminal justice has climbed steadily” (p. 109). In the ten years from 1967-1977, for example, federal expenditures increased by six times. By fiscal year 1974, a total of nearly \$15 billion was spent by all levels of government for criminal justice.

In addition to great increases in the amounts of money spent on criminal justice, the passage of legislation like the Omnibus Crime Control and Safe Streets Act of 1968<sup>1</sup> and the setting up of the Law Enforcement Assistance Administration (LEAA) has created a federally coordinated and “more pervasive organization of criminal justice” (p. 111). Criminal justice has been “rationalized,” as particular functions in criminal justice activity have been differentially developed by each level of government. Local governments, for example, are the primary supporters of police and the courts, while state governments are the primary supporters of corrections (p. 114). The result of these developments “is a coordinated system of legal repression for advanced capitalist society. For the first time in the history of the United States, all levels of the state and the various

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1. 42 U.S.C. §§ 3701 *et seq.* (1968). The Law Enforcement Assistance Administration was established by Pub. L. No. 90-351, 82 Stat. 198 (1968) (codified in 42 U.S.C. § 3711 (1968)).

agencies of the law are linked together in a nationwide system of criminal justice" (p. 112). More than one million workers are employed by this criminal justice system; their salaries consume eighty percent of its funds. The political economy of criminal justice, thus, is founded upon a contradiction. It is primarily "built on the labors of the class that is itself the object of criminal justice" (p. 115).

With increased reliance on criminal justice, not itself a source of surplus value but necessary to secure the capitalist order, "state expenditures on criminal justice grow faster than the revenues available to support an expanding criminal justice system" (p. 116). This generates in the political economy of criminal justice a crisis that is likely to grow with increasing social problems. To Quinney this signals the beginning of the end for capitalism: "Embedded in crisis and contradiction, the criminal justice system as a last resort signals the imminent demise of the capitalist state and the capitalist mode of production" (p. 117).

If capitalism's demise indeed is best understood in a time frame of world history as "imminent," American capitalism, nonetheless, is not about to roll over and die. The state has formed a symbiotic relationship with monopolies of the so-called private sector "to stimulate capital accumulation and stabilize the social order" (p. 117). A "social-industrial complex" has emerged in recent decades as education, welfare, and criminal justice become new fields in which monopoly "industries develop programs that simultaneously secure the social order for the state and improve the productivity and profitability of the industries themselves, while attempting to make a safe environment for continued capitalist development" (p. 118).

The "criminal justice-industrial complex," an important part of this growing "social-industrial complex," has expanded steadily since the mid-1960's, producing technocratic solutions for the problem of controlling the domestic population. Under the direction of LEAA, the criminal justice system is becoming capital intensive, with science, technology, and industry being directed toward the home front as they have been directed toward "scientific warfare abroad." LEAA, thus, is a response not only to the increased need for social control but also to the fiscal crisis of the state. In fostering the alliance between the state and monopoly industries, LEAA seeks to "reverse the economic burden, and possible crisis, of the social expense of controlling crime . . . by making social expenditures profitable for private industry" (p. 121). Ever more discernable, state collusion with monopoly industries contributes, however, not only to capital investment in criminal justice but also to weakening capitalism's legitimacy. Like military spending, "criminal justice spending is only a partial, temporary, and self-defeating resolution to capitalist economic contradictions" (p. 124).

Crime is an integral, pervasive, and normal part of our political economy. Although the direct and indirect costs of crime to the

society as a whole are extremely high — *U.S. News & World Report*, which Quinney cites for his figures, estimated economic costs at nearly \$90 billion in 1974 — in a pathological social order, crime involves a kind of devil's utility: "hundreds of thousands of people find employment in fighting crime and hundreds of thousands find economic support through offenses and economic security while being confined in prison, at the same time lowering the unemployment rate of the society" (p. 129).

This, of course, is only another way of reiterating that what we generally think of as crime is the response of a surplus population produced by capitalism. These millions cannot be absorbed by the political economy but can only be supervised and managed. And, as "[t]he notion that the social problems generated by capitalism can be solved becomes obsolete" (p. 132), we come to accept the existence of crime as inevitable. The issue, then, is reduced to how best to control it. Strong-arm techniques are complemented by community relations techniques aimed at securing popular acceptance and support. Ultimately, "pacification" is what is desired: "The surplus population is not only to be controlled, but it is to accept this control" (p. 133).

Whether the ultimate is achieved, the surplus population clearly is the main target for increased control, especially in periods of economic crisis. Consequently, imprisonment cannot be understood in its political-economic function when prisons are conceived, in terms that filter out the significance of class, simply as places "for incarcerating criminals." The fact is "prisons are differentially utilized according to the extent of economic crisis. . . . [T]he prison population increases as the rate of unemployment increases" (p. 136). With unemployment growing between the end of 1973 and early 1976, for example, the number of prisoners in state and federal prisons rose by more than 20 percent.

By means of class analysis, the essential meaning of prisons in our political economy is revealed:

Prisons in this country are used mainly for those who commit a select group of crimes, primarily burglary, robbery, larceny, and assault. Excluded are the criminals of the capitalist class, who cause more of an economic and social loss to . . . the society but who are not often given prison sentences. This means that prisons are institutions of control for the working class, especially the surplus population of the working class (p. 138).

Among blacks, who make up a disproportionate part of the surplus population, the impact of prisons is still more dramatic: "About one out of every four black men in their early twenties spends some time in prison, jails, or on probation" (p. 138).

In the context of increased crime, rising social expenditures for criminal justice, and explosively overcrowded prisons, so-called "sentencing reforms" aimed mainly at mandatory, fixed, and reduced sentencing will facilitate imprisoning more people with certainty for shorter periods. Hence, "[p]rison reform actually means that control of the surplus population can be increased, for the time being, within the social expense limits of the criminal justice system" (p. 139).

Such "reforms" are indicative of a broader, current tendency in criminal justice reflected in the proposed revision of the federal government's criminal code. The crime bill, among other things, widens state control, restricts political participation by citizens, and further expands the federal government's role in criminal justice. These solutions, beset by contradictions, cannot endure: "Strengthening the criminal justice system only strengthens the larger system that generates crime in the first place" (p. 143). The only real solution, therefore, is to transcend criminal justice by building a socialist society, which will cease "to generate the crime found in capitalist society" (p. 144).

Thus, Quinney moves into his concluding chapter and "Beyond Criminal Justice," which is understood as "the characteristic form of control in advanced capitalist society" (p. 145). Beyond criminal justice lies the transition to socialism, and then socialism, itself a long-term revolutionary transition to communism. The author's stimulating discussion of the transition to socialism is predicated upon his understanding of the final development of American capitalism. Because of the intimate relationship between the present and the future — between American capitalism and American socialism — our capitalism is the source for our sort of socialism, both in theory and in practice. "A theory of the late development of capitalism," Quinney writes, "is simultaneously a theory of the transition to socialism" (p. 154). In practice, new forms of production and social relations develop concretely out of the existing realities of a capitalism unable to resolve its own contradictions.

The transition to socialism involves, for example, an interaction between the sorts of labor American society actually has created "in response to the changing requirements of capital accumulation" (p. 153). The large, unproductive labor force employed by government in order to stabilize and legitimize our capitalist system represents a "noncapitalist mode of production" and, in some manner Quinney does not make entirely clear, becomes "the source of presocialist or early socialist labor" (p. 155). This same contradiction between the growing portion of the labor force, in and out of government, that in Marxian terms is unproductive and the declining portion of the labor force that is productive, viewed from another angle, signals the exhaustion of the potential in capitalist relations, which classically come to constrain further development of capitalist forces of

production. As unproductive labor increases, "the appropriation of surplus value . . . decreases. Surplus value as the source of capital accumulation declines at the expense of maintaining the capitalist system. This is the grave, and fatal, contradiction of late capitalism" (p. 155).

The intensification and resolution of capitalism's contradictions will not, contrary to widely cherished distortions of Marx's materialism, be unfolded as a mechanical working out of History. Human beings make their own history within the limits provided by objective, material conditions. Hence, "only with the actions of real, living human beings struggling against the oppressive conditions of capitalism can there be a socialist revolution" (p. 159).

Critical social theory has a vital role to play in this struggle, in developing understanding and correct political action. Such theory, if grounded in the daily lives of those masses of people who are oppressed by existing conditions, can help develop their consciousness of the systemic sources of their oppression and enable them to decide for themselves to change that system. In using social science and social theory to critically illuminate people's lives, instead of to control people, the way is open in the practice of socialist revolution for people to expropriate justice, social science, and social theory from the elites who presently control them and to appropriate them for their own use — to develop "popular justice" (p. 162) instead of "criminal justice" and social science and theory that are part of people's everyday lives instead of the property of social scientists and their employers.

*Class, State, and Crime* was written as a contribution to this process of transforming our world and ourselves. By understanding capitalist justice, the book offers a basis for rejecting it: "The importance of criminal justice is that it moves us dialectically to reject the capitalist order and to struggle for a new society" (p. 165). With that goal of revolutionary transformation as the standard for evaluation, the book's great strengths are various and undeniable, but its interrelated shortcomings are not unimportant.

In the first place, there is the problem of audience. This theoretical book manifestly is written for those very elites who, in the admittedly long-term process of revolution, must learn to share their theoretical knowledge with "ordinary people," who in turn will share their empirical knowledge with elites. Although it is extremely difficult in a society so fragmented by an advanced capitalist division of labor as ours to write theory in a manner to make it accessible to "ordinary people," it is necessary to make the effort. Mao Tse-tung, whom Quinney several times quotes favorably, did this brilliantly in a less advanced society. Quinney, by contrast, gives no evidence here of having tried. In that sense, his scholarship remains "academic" and deserves to be criticized, especially since many of the millions of people who constitute the targets of our

criminal justice system may already inchoately sense the need to better understand the system that oppresses them.

Relatedly, the book communicates very little of the concrete patterns of daily life of the oppressed upon which a Marxist theory of crime appropriate to the United States must be grounded. The revolutionary theory, in other words, is too separated from the mundane details of capitalist practice out of which it grows and for which it is the beginning of a solution. For both of the above reasons, *Class, State, and Crime* is unlikely to contribute directly to raising the consciousness of the oppressed.

But perhaps that is too much to demand in this time and place of an American academic, even of a revolutionary one. And perhaps, too, given the divisions within our society, one cannot reach the core oppressed through books. How successful, then, is the book as a communication to those we normally think of as members of the elite?

For Marxist lawyers and intellectuals, reading *Class, State, and Crime* will be a confirmatory and enriching experience. It will deepen their understanding of a particular aspect of the capitalist whole, and thereby their understanding of the whole, while bringing them up to date on recent relevant developments in Marxist theory. But for such Marxists, the book poses serious theoretical problems that, if not created by Quinney, also are not adequately confronted by him. How, for example, can the surplus population that is a primary focus of this book, as well as those millions of other workers not engaged in "productive" work, none of whom produce surplus value, be "exploited" in Marx's sense? What are the implications for Marxist analysis of describing the state as "semiautonomous?" And does this characterization mean something more than that the state, even while under the domination of the ruling class, necessarily develops partly in response to the effective demands of the working class, and therefore cannot be appreciated out of the context of class struggle crudely and exclusively as a tool of the ruling class? And why, if most crime objectively is counter-revolutionary, does the state increasingly have to regulate it?

For non-Marxist readers the book can be a revelation. But to many it may appear as a gauntlet thrown down, which they simply decline to pick up. If so, their refusal to accept the challenge may be attributable in part to Quinney's insufficient attention to the difficulties of communicating with people who not only appreciate the world very differently but, in addition, still essentially experience their own world view as "natural," effectively as the only one conceivable. The problems of communicating across world views can hardly be exaggerated. But it is the responsibility of Marxists who themselves usually have undergone a radical change of consciousness to somehow communicate to those who have not the profound

implications of what is involved. Quinney does not do as much in this regard as he might have.

For one thing, he does not adequately anticipate expectable misreadings of his relentlessly argued thesis. His central argument that crime and criminal justice are the product of capitalism — “[c]rime in all its aspects . . . is the price the capitalist system pays for capitalism” (p. 130) — is all too likely to be misread as suggesting the notion that crime is unique to capitalism. Quinney, therefore, should have explicitly indicated that crime in all sorts of class-dominated societies must be understood in relation to the prevailing political economy. Had he clarified this historical perspective, he might then, instead of merely asserting, have shown concretely how and why the pattern of crime has changed, as feudalism was transformed into early capitalism and as capitalism developed to date through its various stages.

For another thing, references to the quality of justice in societies conventionally considered socialist are, without explanation, almost entirely absent from the book. Since we know crime persists in such societies, this silence for non-Marxists, at least, may be deafening.

Finally, a number of Quinney's arguments will appear to non-Marxists simply as *ipse dixit*. Given the monumental scale of the issues and the conflicting world views involved, this to a substantial degree is inevitable. Quinney simply cannot afford the effort necessary to persuade even receptive non-Marxists on every point. Still, certain of the more naked assertions are basic to his Marxist argument and simultaneously fly in the face of widely accepted “truths” to the contrary. On these points, such as the assertion that exploitation has increased with capitalist development (p. 92), evidence and more argument are needed if the assertions are to persuade and are not to be perceived as yet another confirmation that what readers think is rational and what Marxists think is “ideological.”

If these criticisms of *Class, State, and Crime* are justified, then the book, not surprisingly, is intellectually and politically flawed. It remains, however, an outstanding contribution to our stunted understanding of the capitalist political economy of crime. Richard Quinney, by his masterful use of dialectical analysis, has taken the matter of criminal justice out of its parochial domains and placed it in the proper historical perspective.