The "Law and Order" Problem in Socialist Criminology

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Criminology of the left has tended to be idealistic and unable to announce clear and credible solutions for crime. Radical criminology has had an eclectic pedigree. It was born out of critical conflict sociology;¹ weaned by the new social history of crime;² shaped by Marx and Marxism on the state, law, and class;³ given sustenance by neo-marxist...
cultural studies on ideology, censure and surveillance; and has come of age with socialist analyses of the law and order problem.5

Recently, left criminology has moved from utopianism to realism, and in the process has jettisoned many of its romantic formulations about violence against the person, about the targets of property crime and about the predatory nature of street crime. What has emerged is a realistic perspective on crime that is concerned with the question: What is to be done about law and order?

It is precisely this issue of the relevance of “law and order” to an immediate praxis of social control which is taken up by Ian Taylor in two recent books.6 Arguing against orthodox views which regard radical social change as a necessary impetus to reform, Taylor develops the practical task of devising alternatives to retributive crime policies—what he calls a “transitional socialist criminology”, which takes needs and anxieties about crime seriously, and which “prefigures” progressive alternative solutions to crime. Taylor argues that the “rule of law” is desirable because it is a condition of the existence of the legal person, and because it imposes effective inhibitions upon power, defending the citizen from all-intrusive claims. Taylor warns against rejecting all forms of legalism. He is critical of arguments which celebrate essentialist conceptions of law and order, and foreclose the possibilities for short-term intervention into penal politics. He stresses the difference between the administration of law and the “rule of law”. This leads him to consider civil liberties questions under the law.

In Law and Order: Arguments for Socialism, Taylor studies the growth of Thatcherism in Britain, the riots of 1980 and 1981 serving as a basis for examining whether the radical right has been able to limit social disorder by promoting the “free market” and the authoritarian state. In criticizing Labour’s social democracy as permissive and bureaucratic, Taylor notes that Thatcherism redirects challenges to its own policies by connecting social unrest to individual moral pathology, rather than to the organic features of a declining British economy. This politics, coupled with new and loud proclamations about the value of the rule of law, magnifies the failures of the welfare and rehabilitative character of post-war social democratic policy, while at the same time championing the reality
of working class concerns about crime and the eclipse of their communities. Thatcherism disparages liberal thinking, praises law as the enforcer of the “new reality”, and appears to refract the ideological crisis that ousted Labour by replacing earlier Labour policies with retributive politics.

Taylor admits the failure of Labour’s recent post-war policy, but does not support the distant postures of earlier Labour governments or embrace utopian versions of “the new criminology,” as neither approach is responsive to the problems of working class people. Instead, he calls for a practical realist criminology based on the concerns of the prisoner’s and women’s movements, police reformers and civil liberties groups, all of whom have rejected conventional paternalistic and bureaucratic state politics. For Taylor, a popular criminology means introducing “the people” into the process of ‘doing justice’. It means taking “law-making out of its traditional class location” and democratizing it for the “practical use of the various interest groups which constitute civil society.” This reconstruction of socialist policy centres on the “state as a site of popular needs and popular political rights”. It does not of necessity entail the dismantling of the centralized social democratic state, only its alteration so that it can be more responsive regionally and locally. For Taylor, this would be achieved by promoting political action at the local level, and by increasing working class representation in policing, corrections, and the courts, creating thereby a popular justice that would be “authentically responsible to popular demands for justice and social defence.”

Taylor’s purpose, then, is to reconsider the form of state intervention so that it is responsive and representative, and builds on existing social-democratic achievements. The failure of social democracy over the past half century is excuse enough to challenge the theoretical complacency of Labour Party assumptions in both penal and social policy. In so doing, Taylor attempts to destroy the view that social control must always work in favour of the political right.

Two years after the publication of Law and Order, Taylor wrote a very important book on this topic in Canadian society: Crime, Capitalism and Community. The first essay, “A Popular Criminology for Canada”, addresses the curious situation of economic crisis occurring without serious challenge to the
hegemony of liberal corporatist politics in Canada. Increasing fears about social disorder—as demonstrated by the high level of support for the return of capital punishment, fears about higher crime rates, and tougher administrative sanctions within prisons—have yet to trigger a major crisis of the state. Why?

Drawing on newspaper accounts, government documents and official statistics, Taylor demonstrates the ideological character of much crime reporting in Canada, especially on the subjects of violent crime, prisons and policing. He deconstructs the liberal perspective on these topics in order to rethink a socialist alternative of crime control. He concludes that crime control is neither the expression of a unified system of class rule, nor reducible to the effects or needs of an economic system. The connections between perceptions of crime, their interpretations and their consequences are typically indirect, irreducible and mediated by a complex of class, political and ideological strategies adopted by capital and/or the state to manage the growing crisis of capitalism. He contrasts Britain and Canada, and argues that the visible development of right-wing law and order movements evident in the UK and the USA are not taking shape in Canada. There is no comparable hegemonic crisis in Canada. The Canadian state is quintessentially bourgeois, and popular or working class movements have been largely incorporated and dislocated. In Taylor’s view, the peaceable kingdom has become a liberal success story. So powerful is liberalism and the liberal state, that by means of corporatist, technocratic, and managerial norms and strategies, they can stave off any serious organized class-based opposition without seeming to alter their ideological forms and institutions. This has resulted in a depoliticization of crime as well as violence inside official prison and police structures, and a belief that there is an array of management solutions to all types of pressing social troubles. The construction of an authoritarian state in Canada is seen as more subtle and hidden within liberalism, but without an ideological moment of right-wing populism. Furthermore, the growth and centralization of disciplinary and surveillance agencies means that local communities have been increasingly alienated from those authorities who exercise the strengthened mandate for social control. The trend must be reversed, Taylor argues, through development of alternative economic and social policies which allow
the apparatus of state control to be recaptured. Rejecting revolutionary and violent strategies as ultimately defeatist, Taylor recommends a series of transitional programmes (similar to his recommendations for socialist reconstruction in the UK) that would localize and democratize the police, prisons, courts and the law.

Punishment, homicide, and violence are the subjects of the second essay. Taylor compares media reporting of crime issues, typically presented as recurring, sensational and misleading, with their real character being more undane and episodic. His thesis is that crime is a metaphor for a larger public anxiety, played upon by the electronic and printed media in a way that intensifies social insecurities already brought about by unemployment, wage reductions, inflation, state cutbacks and community dislocations. He tells us that while the fears of crime are real, there is no clear evidence to support the existence of such fears. Despite popular opinion, mass murders are not on the rise, nor are motiveless homicides, or those committed by strangers for sexual or economic gain. It is too simple to see popular anxieties about homicide as the product of false images constructed by television, radio, and newspaper manipulations, and directed by authoritative agents of social control. The moral outrage and social fear that goes into moral panics about crime, campaigns for more police, tougher sentencing, tighter prisons, and the return of capital punishment should be understood as analogues for a deeper need for “discipline” and “authority”. Profound changes in the structure of Canadian society have brought about this need. Demographic shifts, alterations in family structure and relations, transitions in the labour market, changes in the structural relationships of social classes, the reduction of private and public forms of economic support, and transformation in the nature of social geography have all acted to undercut the quality of social relations and produce an intense sense of personal and communal anxiety.

The third article is an examination of justice expenditures, welfare spending and the restructuration of the Canadian State, especially as it relates to the shaping of the criminal justice system and the maintenance of social discipline. Taylor reviews some of the key variants of contemporary theories of the state, arguing that we must be sceptical about the idea that
the state in capitalist societies is always going to be a welfare state. More likely, the Canadian political process is undergoing a shift to a law and order state where existing commitments to a social democratic version of welfare are being deconstructed, while spending on police, corrections, courts, social surveillance and discipline are being dramatically increased. The overall level of expenditure on welfare items is declining in the context of increased welfare needs. Restraint, reduction and cuts are having the effect of rolling back advances in health, education, welfare, recreation and culture, and lowering the wages of public sector employees. At the same time, state capital is being redirected to the private sector and into social control programs at exponential rates. During the 1970s, the Ministries of the Solicitor-General and of Justice increased their expenditures by over 800 percent and 900 percent respectively. According to Taylor, this restructuration is part of a response to a crisis of community caused by the falling rate of profit and the need for capital to extract a larger surplus value from labour.

Taylor concludes, somewhat at odds with his earlier essays, that the commitment to a social democratic version of welfare is being jettisoned and that state expenditure patterns no longer justify a "liberal" reading of the character of the Canadian state. Since these changes presage massive and prolonged worklessness, with probable upsurges in crime and social disorder, Taylor encourages us to resist coercive solutions, and to work instead for a state committed to redistributing expenditures, that would fulfill basic needs and interests.

In both of these books and in subsequent articles and interviews, Taylor advances a very straightforward message, "Take Law and Order Seriously". Because this is an important edict I will, in what follows, express criticism of some features of his analysis for Canada, and then raise questions and concerns about his political agenda.

I do not find Taylor's analysis of the Canadian state completely convincing. It is a more fragile federation than he allows. While the liberal state is a triumphant centre political formation, flexible, incorporative, and even deferential under pressure, it has been shaped, in part, by social democratic and labour movements. It has played an active role in mediating
class conflicts and directly assisting capital accumulation. It has had to express and even represent the demands of labour. The diversity and contradictions inside the state are as striking as its supposed "quintessentially bourgeois character." Indeed my interpretation of labour history suggests that Taylor's characterization of Canadian society as especially bourgeois is too one-sided. That results from his failure to examine the historical record of capital/labour relations, the role of organized labour in Canada, and the state's role in labour relations. Had he done so, he would have discovered a complex of working class resistances, mobilizations and politicizations, both within the productive process itself, and by political organization which would qualify the supposed all-embracing commitment workers in Canada have to the bourgeois social order.  

In the current period, many hard-won workers' "rights and freedoms" have been dismantled. The rebirth of exceptionalism, back-to-work laws, designations to remove the right to strike within the public sector, and anti-inflation programs are all part of a class process, designed to resubordinate labour to capital. Yet, the boundaries of the definitions of the "rights" of capital and of the working class, and the forms of conflict are a constant object of class politics in which the working class regularly presses beyond the limits accorded to it. Thus, workers occupy factories, engage in wildcat strikes, encroach on the rights of management, sabotage the workplace, and mobilize against state policies as workers, as unemployed, as women, as tenants, as ethnic minorities; and they take to the streets to confront the state directly.

One should not overestimate the dominance of capital and the state. It is necessary to be sensitive to the double meaning of "rights" and "freedoms" and to the contradictions of the current crisis in Canada. Hard-won struggles and victories are more than bourgeois cunning. If not, then there is a true confusion of appearance with reality, and pronounced conflation of the superstructural nature of law and state with near complete political impotence on the part of the working class.

Second, Taylor's analysis is not sensitive enough to the specificities of Canadian society. Canada is a balkanized social formation. Regional class structures, resource-based economies, diverse ethnic and religious affiliations, peripheral state forms, and local cultures all intersect in complicated ways. In
certain parts of the country, right-wing populism has an established pedigree. It is neither hidden nor polite, and its future agenda does include expansion.\textsuperscript{16} An absence of specificity in parts of Taylor's analysis leads him to impose a somewhat skeletal and static structure on what is fundamentally a more fluid, uneven and internally problematic set of social and political relations. This results in an overstated argument about the absence of working class consciousness in Canada, and support for the spurious thesis on Canada's "alienated politics" advanced by Chorney and Hansen.\textsuperscript{17}

Third, I do not think that Taylor is right about the absence of a "crisis of authority" in Canada. He argues that the absence of a critical working class political culture in Canada has made legitimation problems less likely than in the UK, and it has enabled state authorities to contain the political effects of economic decline through essentially bureaucratic measures. This has forestalled the emergence of a radical right of the kind that has developed in Britain and the USA. Taylor describes the Thatcherite Rule-of-Law response to legitimation crisis as an ideologically "visible reconstruction". In Canada where liberalism prevails, the reconstruction is largely non-hegemonic, taking the form of a new "strong state" "with overwhelming and unaccountable powers to punish, contain and/or reform a larger proportion of the population than ever before". In this way, perhaps not so invisibly, the continuity of the social order is preserved and crime is managed without a pronounced ideological shift to the right.

This analysis, however, is questionable. While the situation in Canada is not equivalent to Britain, in the last five years there has been a decided move to the right—both at the national and provincial levels—that has resulted in a restructuring of capital and the state. While he recognizes that the evolution of the Canadian conjuncture moves along a very different trajectory than in Britain, Taylor tends to look for similar types of expressions. Unable to find them, he concludes that they are dwarfed, moribund or retarded, when in fact the manifestations are different, rather than absent. This is true of class polarization, the state, communal relations, and the rise of the right. Moreover, Taylor does not give enough weight to the effects of prolonged economic crisis on the stability of a centrist social formation. Where political culture
is balkanized, authoritarian populist strategies are less viable, so that exceptional state formations are established by administrative decree rather than by popular consensus.

As Ratner and I have argued, it is equally likely that serious ideological rifts are leading to the very real possibility of a right-wing takeover in Canada that would unleash quite "visible" class conflict. Here Taylor hedges his argument. In the last essay of his book, and in more recent commentaries, he predicts a state politics and discourse infused with a decidedly neo-conservative ideological content. Whether this change in the dominant discourse will still allow for an "invisible reconstruction", or whether Mulroney’s Conservatives will try to connect regional populist movements in order to create a national one is uncertain, given the confusing evidence on issues like crime control, capital punishment, military policy and the place of the radical right inside the party. The landslide victory of the Conservatives suggests the decline of traditional liberal hegemony, and illustrates the possibility of profound changes in the political character of the Canadian state. Thus, the hegemonic crisis in Canada is no less real than in the UK, and potentially as acute.

Finally, I have reservations about the emphasis Taylor places upon the collapse of community in Canada. It is undeniable that communal relations have changed in the post–World War II period. Fragmentation, alienation, and erosion of personal and social relations have occurred, but this process has been uneven and inconstant. The quality of public and community life has been reshaped so as to disconnect citizens from state and civil societal contexts. But is is not as pervasive, pacific or complete as Taylor suggests. Uncritically accepting Chorney and Hansen’s thesis about widespread “alienated politics” and delegitimated state and communal institutions, he concludes that the expansion of crime control is a response to the crisis in community. Thus, he relies too much on a single, contentious proposition.

If we are to agree with Taylor, we need to know a lot more about these neighbourhoods and their breakdowns, about the culture(s) of Canadian society, particularly on the topics of authority, law and order, and about how community itself is ideological and related to the crime question. It may very well be that the collapse of community (so pivotal a part of explain-
ing the rise of the right in Britain) may not fit Canada, or at least not in the same way; and that we need other lines of enquiry. In particular, we need a clear inter-national analysis of Canada and the United States, for it is in the relations between these nations that so much of the political, cultural and economic ideas and strategies so crucial to his analysis have taken shape. In my opinion, a socialist crime policy must be connected to a new socialist economic policy, which in turn must deal with the peculiar character of Canada’s economic dependency on the United States.

There is a powerful and persuasive rhetoric to Taylor’s formulations and solutions. His argument for a prefigurative politics, in which some features of socialist society must and can be achieved in advance, within a capitalist social system, lead him to an anticipatory socialism of law and order. We turn now to an evaluation of his agenda.

The rise of the right, with its political agenda of law and order, increasing prison populations, capital punishment lobbies, mandatory sentencing, “tough” legislation, political policing, and deregulation of the RCMP, the CIA and the FBI, has evinced much debate and controversy. Gross criticizes the left for not taking crime seriously, and for absenting itself politically and strategically. Cullen and Wozniak argue that socialist intellectuals have focussed too much on long-term structural economic change to the detriment of immediate short-term reform. Platt claims that the radical critique of criminal justice politics—especially on the topic of street crime—has been utopian, atheoretical, moralistic, politically undeveloped and strategically misdirected. Taylor agrees that absenteeism is a problem, and he proceeds to develop transitional programmes. This, we are told, is an urgent task since crime and lawlessness are likely to increase in the wake of global economic crisis and monetarist policies. For Taylor, we need a criminology which considers the relations between social order and the needs for social defence within a democratic popular strategy. Theorizing the ideological nature of crime is central to this.

Contemporary socialist criminology requires a commitment to counter the misinformation of the new right, and to struggle against their punitive politics and policies. This includes: (1) showing how their “get tough” policies are not utilitarian—do
not lessen crime, make communities safer provide real help to victims, and are not cost effective; (2) making efforts to delimit the effective administration of coercion by continuing the fight for offenders rights, opposing prison construction, determinate sentencing and administrative segregation; and, (3) reaffirming rehabilitation as an appeal against repressive penal policy, and formulating alternative avenues of penal reform that recognize the importance of a labouring ethic and the human possibilities of progressive-oriented reform. As Cullen and Wozniak observe: “radicals should not forget where valuable allies in the struggle against repression might reside (e.g., in the liberal and/or religious community).”

But more than reason, clarity and purpose is required. The crucial task is not only the debunking of irrationality and the compilation of sound information, but the explicit construction of an alternative world view to that of conservative criminology. For Taylor, this means recognizing that crime is not generally a product of worklessness. It is pre-eminently a term of ideological censure that alters with social and historical circumstances.

“The definition of petty vandalism, hell-raising on seaside beaches or promiscuous and subversive attitudes among youth as a serious social problem in periods of affluence, and the definition of street robberies as the most serious danger to social order during economic crises, are the result of hegemonic and ideological struggles by police chiefs, powerful sections of the judiciary and the magistracy, and “law and order” politicians.”

These constructions are not transparent indicators of real crime, nor do they take account of less visible crimes committed by corporate capital. High rates of unemployment are not needed to sustain right-wing theories of crime. Seeing crime in this way locates it as a product of the fundamental social divisions of capitalist societies. Crime will always be found among the lower classes, “whether metaphorically via ideological campaigns or materially via the routine practices of police and law courts”. Both liberal calls for cooperation and community participation and the state form of social democracy, with its system of bureaucratic paternalism and clientage, must be transcended by a socialist program that recombines a new alternative economic policy with a rejuvenated social policy based on social need and social rights. This entails: (1) creating a popular form of justice; (2) democratizing the social order;
(3) resurrecting a politics of localism; and, (4) promoting reformist policies of social control.

Taylor advocates a popular form of justice that demands a radical decentering and democratization of the police, courts, and prisons. He argues that a return to "peoples justice" is necessary for a new form of adjudication to occur—where parasitic and dangerous offenders could be judged directly and honestly. Taylor cites successful reforms by the "Bennite Left" in England that have delimited police powers and created imaginative new local policies on crime prevention. Nor is he alone in stressing popular initiatives and community mobilizations. In the US, Gross has called for local self-help groups and citizen defence squads. Einstadter argues for the establishment of supportive neighbourhood networks which actively work at crime prevention, "beyond the surveillance and control offered by [citizen's] patrolling neighbourhoods". Michalowski proposes "authentic" forms of popular policing, justice and punishment that are communally generated so that people can "take charge of their own existence". Yet there are few specifics about the agency of reform. In particular, the class character and related organizational strategies are barely visible in these proposals.

Taylor thinks that community politics must be constructed in class terms, yet he is convinced of the fragility of "the community" as a basis on which to construct an alternative socialist crime politics. For Canada, he sees few organic residues in city neighbourhoods for socialist reconstruction, and so he opts for reform of local policing. Yet he insists on a popular justice that is less elitist, more responsive to all, non-custodial and rational. But he does not specify the content of popular justice. From what is it to be constructed? What are the popular demands? Should we assume they will not be retributive? Will crime prevention and punishment be rationalized according to some spontaneous system of "rough justice"? What are the criteria ensuring us that working class justice will be fair, consistent and achievable? There is a demagogic populism in Canada that is just as likely to demand not less, but more punishment for crime, and to do so in the name of popular defence and hostility to crimes and offenders. The demands for more social control, tougher penal policy, and the death penalty illustrate that there are differential and
contradictory responses to criminal offenses, as well as to how offenders are to be treated. We cannot assume a necessarily compassionate community, amenable to a progressive penology. Contradictions abound within popular justice, just as they do in official justice.  

A central feature of Taylor's transitional program is a commitment to an ongoing democratization of the social order—a non-authoritarian, consensual or popular society. He advances a resolve to democratize the state from within, especially police work, the courts, and community custodial institutions.

Socialists must try to problematize the question of police accountability in Canada even further... As in struggles over local authority police committees in Britain, the absolutely key question here, politically, will be over the control of police policy at a local level. The real democratization of local policing requires that the fragmented interests that now exist as local community in urban Canada should be the assembly within which local police priorities should be decided.

Similarly, the courts must be opened to notions of popular and democratic justice, allowing working and unemployed people, women, natives, blacks, and other social groups to make their own interests work in law. Then adjudication and sentencing can occur "in a direct, unmystified and human manner."

This project of opening out the court system has an even greater potential for "democratizing punishment... and extending popular scrutiny of the prison itself." Taylor is careful to argue against an expanded state social control program. Enhanced penal discipline is no effective answer. But he does claim that prison can be reformed by a democratic logic that introduces prisoners' families and local residents onto prison boards, creates new assemblies of guards and prisoners with powers over specific programmes, and reduces the carceral power of the administrative executive within prisons via local decentralized committees.

But what is the substance of this authentic democracy? While there may be few reasons to oppose the call for more working class and community representation on police, prison and community boards, there are fewer reasons to suppose that changing the social membership of positions and occupations will make a radical difference in their operations, and
in their class content. Indeed, studies of policing, racism and riots in the north of England suggest that effective community-oriented and politically accountable policing may be a chimera. In Merseyside in 1981, rioting broke out, and the strategies of local, democratically elected and well-informed police authorities were ignored and eclipsed by a military style of policing favoured by the central government and the Chief Constable. The institutionalized powers of policing agencies cannot easily be replaced by local controls and accountability schemes. It is just as likely that local democracy will not win the day, and police accountability and strategies will be orchestrated by central government policy decisions, above the heads and behind the backs (and objections) of municipal councils. For many sectors of Canadian society—native peoples, sexual minorities, urban blacks, east Asians—the police are not intruders into their society, let alone protectors; they are threats, foreign domestic militias not amenable to structural reform by membership alterations. As Sivanandan concludes: “The police are... the thick end of the authoritarian wedge, and in themselves so authoritarian as to make no difference between the wedge and the state.”

If the demand for democratization has some serious practical problems, it does possess an important symbolic dimension. Taylor's argument for “democratization” is more compelling as an ideological counterpoint to the distant bureaucratic and paternalistic pleas of the state. It represents an honest call for institutional structures to be responsive, caring and socially serving of the people. These are certainly meritorious aspirations, but we need a strategic appreciation of the contradictions and dilemmas they afford. Unfortunately, there is little discussion of concrete problems of policy implementation.

Taylor is aware of the importance of the state as a prime agency for social change, for reducing economic inequalities, and providing some legal safety. Indeed, he argues that the “state is not a monolithic expression of ‘capital’ or ‘patriarchy’ and there are spaces for significant reformist activity”. He focuses his image of the state as a potentially democratic and accountable institution on the community as the de facto site of popular action and politics. At times Taylor appears skeptical about the rhetoric of community politics, yet he persistently emphasizes localism as a strategy. For Canada, “a genuine
democratization of justice and policing must ultimately involve a genuine democratization and devolution of state power to local levels even within the working class community.\textsuperscript{33} For him, neighbourhoods are the assemblies within which crime prevention, police powers, justice and punishment should be decided.

The attractive power of localism is that it connects back to past popular and socialist struggles; it invokes images or radicalized urban neighbourhoods and communities (e.g., Nanaimo, Winnipeg, Hamilton, Cape Breton, etc.) that have demonstrated a class politics very different from the one that at present prevails on the national level; and, it affords an armoury of immediate, visible and experiential issues which are closer to people’s lives and needs.\textsuperscript{34}

There is here an implication of direct action and positive results. But once again some troubling questions arise. What are local interests? Why should we assume that coalitions of organized labour, citizens’ groups, urban political parties, etc. will fight for genuine neighbourhood interests? Even if such decentralized local units were able to agree, what would be the political substance of their coalition? How powerful and effective can we expect the local state to be? There is much internecine conflict between central and sub-central levels of the state. Local or municipal socialist governments are often contained in their spheres of action, or worse, ignored or abolished as unnecessary tiers of government.\textsuperscript{35} It is doubtful that local communities can be the primary power point from which to launch a new socialist program. Indeed, it is ironic and confusing that Taylor should think so, since he is also convinced of the collapse of community in Canada!

On what basis will a successful transition to democratic socialism occur? How will these more spontaneous forms of social control and reform be articulated, given that various local groups are fragmented and divided? How are those short-term programmes of reform going to overcome their parochial character? Can a truly radical extension of popular control over the state be accomplished through Taylor’s formula of gradual reform? Taylor’s blueprint for action tries to confront the central problems of class power in a practical manner, but it does not make clear the material conditions, strategies and tactics. We need to add substance to slogans
about universal needs, peoples' rights and democratic socialist politics. In the current conjuncture, this is a most urgent task.

A new attention to pre-figurative politics is a welcome correction to the earlier utopianism of much radical criminology. At the same time, it carries with it some very real problems. Some of the avenues proposed need to be clarified strategically. Many important problems have been glossed over or avoided. Given the focus on immediate reforms, there is a danger of co-optation. And there is also a tendency to dwell almost exclusively on intra-class crime as the nexus for a socialist criminology. I am not convinced that this emphasis of left realism is deserved. In my opinion, inter-class crime is an equally serious and real problem that exploits and victimizes working class people. A socialist crime politics must also articulate a strategy against crimes of capital. Most important, there is a need to specify the sources of a socialist crime politics, and to convincingly present socialism as the answer. The "new right" also argues that crime persists within existing socialist societies, and that therefore socialism is no help. For them, crime is an essential feature of industrial societies. The socialist left tends to subscribe to the "as capitalism withers so goes crime" view of history, or to pass over the problem. What has to be grasped is that the condition, continuity, content and variation of crime in existing socialist countries are not primarily the result of an historical vestige of past capitalism. They are the effects of ongoing and current social dynamics inside and outside these socialist societies. Alternatives for reform at the national level need to be articulated, in concert with the debate about socialism and crime as an international problem. In this regard, Ian Taylor has contributed some very important "first moves" towards fashioning a progressive strategy in the arena of law, crime and justice.

Notes
An earlier version of this paper was delivered to the Centre of Criminology, the University of Toronto, on 4 April 1986.


5. See the journals *Crime and Social Justice* and *Contemporary Crisis* for numerous articles. Also see D. Cowell et al., eds., *Policing the Riots* (London, 1981); John Lea and Jack Young, *What is to be Done about Law and Order* (Middlesex, 1984); Stan Cohen, *Visions of Social Control* (Oxford, 1985).


8. Ibid., 121.


11. Ibid., 145.


14. Panitch and Swartz, *From Consent to Coercion*.


22. Ibid., 11
25. See, for example, Hunt, “Law, Order and Socialism,” p. 20.
27. Ibid., 59, 64.
31. Taylor, Crime, Capitalism and Community, p. 64.
32. Taylor, Law and Order, pp. 100–1; Taylor, Crime, Capitalism and Community, p. 75.
34. Witness the effects in Britain of the Conservative Government vis à vis the Greater London Council controlled by the Labour Party.
35. For a useful discussion, see Raymond Michalowski, Order, Law, and Crime (New York 1985), especially chapters 12 and 13.