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A Political Economy of Corporate Killing

Steve Tombs argues that a political economic approach is essential to understanding safety crime.

A Routine Killing?

Simon Jones was a 24 year old student, taking a year out of study before sitting his finals in social anthropology at Sussex University. In April 1998, he signed on for casual work in Brighton with a local employment agency, Personnel Selection - "to get the dole off his back", in the words of his friend Emma Aynsley.

Simon was required to register with an employment agency under the Job Seekers Allowance scheme – part of Labour’s broader Welfare to Work strategy, whereby claimants must continually demonstrate availability for and willingness to work in exchange for continued receipt of ‘benefits’. His first job with Personnel Selection was at Shoreham Docks, working for Euromin Ltd., a Dutch cargo company. He went to work in a ship's hold, unloading its cargo. Within an hour of arriving for his first day of work, he was dead. His head had been crushed and partially severed when a three tonne ‘crane’ grab closed around it. The grab should not have been there; it certainly should not have been open. The work required chains which should have been fastened to a hook instead. Changing back between a grab and a hook costs time and therefore money.

Now, in many ways, Simon Jones’s death was a routine killing: thousands of workers and members of the public die each year in Britain in work-related incidents, rarely making the headlines, rarely attracting prosecution, some many not even investigated. But his death was also exceptional in several ways, not least for the campaign it spurred. The Simon Jones Memorial Campaign based its fight around the issue of casualisation – a now firmly re-entrenched feature of working life in neo-liberal Britain, where de-skilled, short-term, and often agency-mediated employment are common features of a deregulated labour market. Such features are bolstered by a benefits system which forces claimants to take work – even work for which they are patently ‘unfit’ – on threat of withdrawal of any minimal financial support from the state. Finally, the role of Personnel Selection – acting as the ‘middle-man’ between the state and Euromin - is also symptomatic of a state contracting out its functions to the private sector. In short, Simon’s death is only explicable in the context of a particular political economy, namely neo-liberalism in an era of ‘globalisation’. It was quite literally neo-liberalism that, in Emma Aynsley’s words, “put [Simon] in that situation”; prior to neo-liberalism Simon Jones simply could not have been where he was to lose his life. In the hey day of the Keynesian post-1945 settlement, there would have been no compulsion to work in exchange for benefit entitlement, no role for private companies in finding that work, no chance of him working on the docks without having been certified as competent to do so under the national Dock Labour Scheme (Lavalette and Kennedy, 1996). In other words, if a routine killing, Simon’s death is only comprehensible in the context of wider social, political and economic trends and the prevailing modes of thought and dominant value systems within which these emerge and through which they are sustained. In short, this and other corporate killings must be viewed through the lens of political economy.

Explaining Safety Crimes?

More generally, safety crimes, like all forms of corporate crimes, require analysis which extends far beyond what largely passes for contemporary criminology. We require a political economy of safety crimes, which seeks to place their production within prevailing systems of economic, social and political organisation, dominant value systems and beliefs, and the differential distribution of power. A recent, critical analysis of the organisational and social production of safety crimes (Tombs and Whyte, 2007) concluded that to grasp the complexities of such phenomena means seeking to address a series of inter-related factors in their production – factors, further, that need to be understood dynamically (that is, historically) and beyond the level of the nation-state.

We must grasp the differential vulnerability of workers to *victimisation*. Victims of safety crimes work in plants or sectors which are disproportionately likely to be casualised. They are more likely to be sub-contracted and/or increasingly migrant workforces. Vulnerability also varies by the particular social constructions around gender, by ethnicity, by age, and so on, as well as the country of worksite. More generally, vulnerability to safety crimes is a function of the strength of workers in relation to managements; evidence overwhelmingly points to the finding that safest workplaces are those workplaces that have strong trade union representation (Walters et al., 2005).

A focus on *management* is also required. Examining specific safety violations often reveals evidence of aggressive managements, or managements who ensured that warnings, usually from below, were being systematically ignored. Moreover, we are likely to find a patterned lack of management accountability for safety crimes, where management decisions and failures to heed warnings are subject to very little external counterbalancing in terms of regulation. Indeed, safety (and other business) crimes often emanate from companies that frequently offend, or from sectors where recidivist employers are common-place. Thus managerial practices - and the cultures within which these are embedded - are crucial in understanding the production of safety crimes. What is fundamentally at issue here are the standards of management that can be regarded as 'acceptable' in any given political economy. [page 29 of published version ends]

[page 30 of published version begins] Beyond the organisational structures and cultures of companies, there are key *inter-organisational* features which need to be accounted for. These include the ways in which different parts of the same firm relate to each other (parent-subsidiary relationships, for example), agency-contractor relationships (relevant in the case of Simon Jones), how different firms were linked into each other within or across particular sectors, perhaps in terms of long and complex supply chains, or indeed in terms of systematic relationships between legal and illegal businesses (an obvious dimension in the death of 23 cockle-pickers in Morecambe Bay).

A further group of factors, both cultural and organisational, is located at the level of the market or industry. These include the norms that predominate in an industry for what is acceptable or even 'required' for how production of goods and services is organised – characterised by Carson's (1982) classic study of the UK offshore oil industry, for example, in the 'political economy of speed', alongside a series of (more or less real, but perceived in any case) market pressures, operating locally, nationally, and internationally, or even globally. Different markets and different industries create quite specific demands for profitability, speed or cost-cutting.

Also requiring critical scrutiny are law and regulation. Even before we can understand contemporary law and enforcement with regard to occupational safety – characterised by the terms ‘under’ and ‘non’ enforcement’ - we need to recognise that the bases of these are to be found in the ways in which legal systems have been constructed either to separate out safety crimes from real crimes, or even to deny the notion of safety crimes. Thus, low levels of inspection, detection, formal enforcement and sanctions ensure that safety offences are regarded as less serious than other crimes of violence, an enduring phenomenon that acts to reduce the social opprobrium that is attached to those crimes. Crucially, the way the state does – or does not – frame and respond to safety crimes shapes the extent to which such crimes are tolerated, from the boardroom to the workplace.

Power and Political Economy

These considerations take us, finally, to a central issue within any political economy, namely the nature and distribution of power. This issue links discussion of the production of safety crimes, their representation, and their regulation, and forces us to examine relationships between businesses, states, other organisations and populations.

Most broadly - if most obviously - political economy implies an understanding of the ways in which ‘politics’ and ‘economics’ interact. It is, however, much more than this. It also entails an understanding of the ways in which “ideas about what constitutes the political and the economic” (Gill and Law, 1988: xviii) are constructed and maintained, and thus leads us directly into explorations of dominant values, ways of understanding the world, and of the possibilities for and limits to social change; essentially, then it involves an understanding of the differential distribution, nature and effects of power in any given society. Political economy exposes as socially specific what is taken-for-granted, revealing how what is was not always so and need not necessarily be, with existent states of affairs only comprehensible in the context of macro-level social processes, on both national and international levels.

Political economy, then, is an analytic approach which is essential to understanding what crime is, how it is produced, how and why it is and may be regulated, and what the limits to and effects of such regulation may be within specific social orders. It is, then, ideally suited to understanding crime and crime control – in ways that a hidebound and largely state-driven activity such as criminology is unlikely ever to be.

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