

# The Origins and Development of the Concept and Theory of State-Corporate Crime

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*The important contributions made by Richard Quinney to the study of corporate crime and the sociology of law, crime, and justice have influenced the development of the concept of state-corporate crime. This concept has been advanced to examine how corporations and governments intersect to produce social harm. State-corporate crime is defined as criminal acts that occur when one or more institutions of political governance pursue a goal in direct cooperation with one or more institutions of economic production and distribution. The creation of this concept has directed attention to a neglected form of organizational crime and inspired numerous empirical studies and theoretical refinements.*

Knowing when an idea first appeared is far different than knowing where it began. Whereas the concept of state-corporate crime made its first public appearance in 1990 in a series of articles presented by Kramer (1990a, 1990b, 1990c) and Kramer and Michalowski (1990), explaining where the framework for examining how corporations and governments intersect to produce social harm is a much longer story. The term itself began as a spontaneous comment during an informal discussion of a research project in a Berkeley, California, restaurant during the Society for the Study of Social Problems meeting in 1989. The research project was an outgrowth of an earlier investigation of the power of corporations to shape state laws in the context of emergent globalization (Michalowski & Kramer, 1987). Although we can locate the initial development of this idea in the late 1980s, if we continue unraveling the intellectual origins of this idea, much like one might unwind a ball of yarn, our search will lead back to many of the contributions made by Richard Quinney to the study of corporate crime and the sociology of law, crime, and justice.

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*BACKGROUND: THE CONTRIBUTIONS OF RICHARD QUINNEY**Calling Attention to White-Collar and Corporate Crime*

Early in his career, Quinney made several important contributions to the study of white-collar and corporate crime. His dissertation, completed in 1962, was a study of prescription violations by retail pharmacists. This study of occupational crime led to Quinney's first publication in 1963 in the journal *Social Problems*. One year later, Quinney (1964) suggested that Sutherland's definition of the concept of white-collar crime be expanded to include all violations that occur in the course of occupational activity regardless of the social status of the offender. Having helped to establish occupational crime as one important form of white-collar crime, Quinney, with his dissertation advisor Marshall Clinard (a former student of Sutherland), then decided that the concept of white-collar crime was in need of further reformulation. In the second edition of their book, *Criminal Behavior Systems: A Typology* (1973), Clinard and Quinney divided white-collar crime into two distinct types: occupational crime and corporate crime.

According to Clinard and Quinney (1973),

occupational crime consists of offenses committed by individuals for themselves in the course of their occupations and the offenses of employees against their employers. Corporate crime consists of the offenses committed by corporate officials for their corporation and the offenses of the corporation itself. (p. 188)

The significance of Clinard and Quinney's distinction between occupational crime and corporate crime is that it helped to rescue the more radical component of Sutherland's work on white-collar crime. After Sutherland's death in 1950, research on white-collar crime, what little there was, tended to drift away from Sutherland's original concern with the harmful acts of large corporations and their upper status executives. Clinard and Quinney helped to bring the focus of criminological work back on the corporate organization itself, paving the way for the development of a sociology of organizational crime in the late 1970s (Clinard & Yeager, 1980; Ermann & Lundman, 1978; Gross, 1978; Schragger & Short, 1978) and eventually the creation of the concept of state-corporate crime in the late 1980s. Foreshadowing the development of a theory of state-corporate crime in the 1990s, Clinard and Quinney (1973) also drew attention to the role of corporations in the larger political economy and their power to shape criminal law and government regulations to their benefit:

Criminal law alone does not assure compliance as long as those corporations that are controlled exercise political control and influence over regulatory agencies and courts. What is needed is greater political control by the public over the corporations and their power and influence in the political economy. And only with basic changes in the culture and structure of American society will there be a solution to corporate crime. (p. 221)

### *Toward a Radical Criminology*

In addition to calling attention to the topic of corporate crime, Richard Quinney made even more important contributions to the sociology of law, crime, and justice in the 1970s. The 1970s was a period of both national political turmoil and intellectual ferment within sociology. On the political front the United States was convulsed by the Vietnam War and its aftermath, the continuing battle for minority rights, and the emergence of a second-wave feminist movement. On the intellectual front, the structural-functionalist and positivist vision that had dominated sociology since the 1930s faced increasing challenges from insurgent intellectual movements searching for more critical, politicized, and dynamic models for understanding human society generally, and America's internal conflicts specifically (Bannister, 1987). These intellectual changes were manifest in criminology and the sociology of law through the emergence of a movement first known as radical criminology and later as critical criminology (Michalowski, 1998). And in the front ranks of that movement stood Richard Quinney who, in perfect dialectical fashion, proved to be both a cause and effect of new ways of thinking about the relationship between social life, law, and criminal behavior.

Although it emerged almost two decades after the initial challenges to correctional criminology posed by Quinney and his contemporaries, the concept of state-corporate crime is nevertheless a reflection of those early years of radical intellectual ferment in criminology, particularly as these are represented in the phenomenology of Richard Quinney's *The Social Reality of Crime* (1970) and political economy of his *Critique of Legal Order* (1974b), *Criminal Justice in America* (1974a), and *Class, State and Crime* (1977). The concept and theory of state-corporate crime blends the phenomenology of lawmaking with the political economy of crime into a single framework for studying wrongdoing in the upper reaches of industrial/postindustrial society. In doing so, it links the two intellectual streams that shaped the creation of a critical criminology—social constructionism and Marxism (Taylor, Walton, & Young, 1973)—and that were so well represented in Richard Quinney's early radical thought.

As a phenomenology of lawmaking, the concept of state-corporate crime rests on the proposition that the designation and control of some behaviors as

criminal and the selection of others as acceptable are the consequences of socially imbedded processes of naming, not qualities resident in the behaviors so named. As a political economy of crime, it recognizes that the social process of naming *crime* is significantly shaped by those who enjoyed the economic and political power to ensure that the naming of crime in most instances will reflect, or at least not seriously threaten, their worldview and interests.

### *Reimagining the Social Reality of Crime*

The concept of state-corporate crime is, in many ways, the null version of Quinney's phenomenology of crime. In *The Social Reality of Crime* (1970), Quinney proposed that "crime is a definition of human conduct that is created by authorized agents in a politically organized state" (p. 15). Quinney's analysis in *Social Reality* focused specifically on how some behaviors come to be defined as crime. The theory of state-corporate crime focuses on the opposite: how certain behaviors, committed at the intersection of corporate and state goals, come to be understood as not-crime, either because they are not named as such by law or are not treated as such by those who administer and enforce the law, regardless of the social harm these behaviors cause. The concept of state-corporate crime proposes that the sociological study of upper world wrongdoing must look beyond behaviors formally designated and treated as crime to equally injurious activities that are registered as acceptable by the law or handled only lightly by the justice system, for it is in the differences between crime and not-crime that the underlying dynamics of making law and practicing "justice" are revealed (Michalowski, 1985, p. 315). Although the attention the concept of state-corporate crime gives to harms that are rarely criminalized may be the inverse of studying how certain behaviors are criminalized, it is a question that grows out of Quinney's insistence that we recognize crime as a social reality rather than an ontological one.

### *Keeping Classes In*

The theory of state-corporate crime is deeply concerned with the political and economic processes that enable state and corporate managers to pursue plans and policies—often in concert with one another—that result in death, injury, ill health, financial loss, and increasingly in the globalized capitalist economy, cultural destruction, all the while being insulated from the full weight of criminalization for these actions. Although the theory of state-corporate crime offers a new perspective on the intersection of the interests of capital and the interests of the state (and renders the state an equal rather than

subsidiary player in the process), it is nevertheless grounded in fundamentals of Marxian political economy as applied to law and justice—and herein lies another of our intellectual debts to Richard Quinney.

Although a number of radical criminologists of the 1970s worked to index criminology to Marxian political economy, some of the clearest and most developed early statements of this project were Quinney's *Critique of Legal Order* (1974b), his introduction to the edited volume *Criminal Justice in America* (1974a), and the later *Class, State and Crime* (1977). Quinney's version of a Marxist criminology was courageous in its willingness to speak the truth about the reality of power, and unapologetic in its demands that we recognize that the primary function of the political state in the United States is to secure and reproduce the process of capital accumulation, the legal/justice system on which the state rests and reflects the will of economic and political elites in ways that will ensure that the bulk of the society's wealth and political power will continue to be delivered into their hands, and that the continued maintenance of this state requires the application of the coercion and ideological manipulation to nonelite sectors of the society (Quinney, 1977).

Although sometimes criticized in later years for being overly instrumentalist, Quinney's work remains relevant in its willingness to admit what much of criminology continually tries to forget: law and justice in the United States (and elsewhere) are not the products of participatory democracies in which all voices take part in what Habermas (1973) termed "undistorted communication," but rather are the products of institutional arrangements through which the interests and worldview of the investor class and their political allies continue to exert a disproportionate influence over the content and application of law. In recent years, much of critical criminology has moved away from examining the institutional expressions of economic and political power toward a greater emphasis on postmodern sites of power such as discourse, identity construction, and gender relations (Lanier & Henry, 1998). Although these developments have significantly expanded the horizon and wisdom of critical criminology, Quinney's early insistence that the institutional arrangement of economy and power resulting from the division of society into unequal classes mattered remains relevant. The evolution of a globalized capitalist order in the post-Soviet era has (or should have) made it abundantly clear that a great deal of how daily life is being lived around the world is currently being shaped by decisions in pursuit of profit made by relatively few individuals operating from institutional control centers situated in a small number of global cities (Sassen, 1998). It is toward these decision makers and the political-economic arrangements in which they operate that the concept and theory of state-corporate crime is directed.

The concept and theory of state-corporate crime owes much to Quinney's examination of the construction of political power in a capitalist state. It accepts that there is a class of powerful elites composed of investors and state and corporate managers, that these elites are more able than others to have law and law enforcement reflect their interests and worldview, and that the intersection of corporate and governmental interests does simultaneously increase the likelihood of social harm while decreasing the likelihood that these harms will be criminalized or aggressively controlled in some other way.

*THE CREATION OF THE CONCEPT  
OF STATE-CORPORATE CRIME*

Whereas Quinney's radical criminology stimulated a general interest in the critical issues that the concept and theory of state-corporate crime are concerned with, the specific source of the development of the concept was a case study of the space shuttle Challenger disaster. Several months after the explosion of the Challenger in January 1986, Ron Kramer made a presentation to the Center for the Study of Ethics in Society at Western Michigan University on the topic of organizational crime. The presentation defined the concept of organizational crime, described the two major forms of this type of criminality (corporate crime and government crime), and reviewed the theory and research related to the topic. After the presentation, one of Kramer's colleagues at Western Michigan University remarked to him that much of what he had said about his theoretical approach to organizational crime seemed to apply to the Challenger tragedy and suggested that it would make an interesting case study. Unaware of many of the specific details concerning the Challenger case, Kramer gave no further thought to the remark at that time. Several months later, when he read the report of the President's Commission on the Space Shuttle Challenger Accident (1986), Kramer remembered his colleague's remark and decided that the Challenger disaster might indeed make for a good case study of organizational crime. He then proceeded to start work on the project.

As Kramer worked on the Challenger study, it became apparent that the disaster was the collective product of the interaction between two separate organizations: The National Aeronautics and Space Administration (NASA), a government agency, and Morton Thiokol, Inc., a private business corporation. The fact that these two organizations had acted together in this case to produce a serious social harm suggested that a more general conceptualization of deviant interorganizational relationships between business cor-

porations and government agencies was needed. At the 1989 Society for the Study of Social Problems (SSSP) meeting in Berkeley, Kramer discussed the issue with Ray Michalowski. It was Michalowski's suggestion to label the phenomena *state-corporate crime*. Kramer liked the concept and began using it in his work on the Challenger case and in his writings more generally on organizational crime.

In March 1990, Kramer made a presentation at the joint meeting of the North Central Sociological Association and the Southern Sociological Society in Louisville, where the concept of state-corporate crime was used publicly for the first time. In May of that year he presented the paper, "State-Corporate Crime: A Case Study of the Space Shuttle Challenger Explosion" at the Edwin Sutherland Conference on White Collar Crime: 50 years of Research and Beyond held at Indiana University. This was the first time he had used the concept of state-corporate crime in connection with the Challenger study. In August 1990, Kramer presented a paper titled, "The Concept of State-Corporate Crime" at the Annual Meeting of the Society for the Study of Social Problems in Washington, D.C. In all of these presentations (Kramer, 1990a, 1990b, 1990c), he pointed out that although a considerable amount of work had been done on both corporate and state crime, no mention had been made in the literature to that point of the fact that corporations and government agencies can act together to produce serious criminality. The concept of state-corporate crime was advanced to draw attention to this neglected form of organizational misconduct. In the first of these early papers, Kramer defined state-corporate crime in the following way:

State-corporate crime is defined as an illegal or socially injurious social action that is the collective product of the interaction between a business corporation and a state agency engaged in a joint endeavor. These crimes involve the active participation of two or more organizations, at least one of which is private and one of which is public. They are the harmful result of an interorganizational relationship between business and government. (p. 1)

In the Fall of 1990, Kramer and Michalowski began working together to flesh out the concept of state-corporate crime and to develop a theoretical approach to the topic. In November of that year they presented their work at the annual meeting of the American Society of Criminology in Baltimore. This presentation, titled "Toward an Integrated Theory of State-Corporate Crime," has become the most widely cited paper concerning the phenomenon of state-corporate crime. The paper presented a significant refinement of the definition of the concept and offered an integrated theoretical model for the analysis of state-corporate crime and other organizational offenses.

Kramer and Michalowski (1990) started the paper by noting that the study of corporate crime to that point had resulted in an important insight and an important oversight. The insight, due in part to the earlier distinction between occupational and corporate crime drawn by Clinard and Quinney (1973), was that corporate crime is actually a form of organizational deviance. Insofar as corporations are formal organizations, the study of corporate crime can and should incorporate the theoretical and substantive insights of organizational research (Vaughan, 1982, 1983). The oversight was the failure to recognize that since the modern corporation emerged as the basic unit of economic activity within private production systems in the late 19th century, corporations and governments have been functionally interdependent. The modern corporation in the United States could not have developed, nor could it currently function, without the legal, economic, and political infrastructure provided by government (Sklar, 1988). Governments in private production systems, in turn, depend on corporations to supply necessary goods and services and to provide the economic base in the form of individual salaries and/or corporate profits on which governments must depend for their revenues (Offe & Ronge, 1982). The general influence of Quinney, among many others, is readily apparent in this political economy approach to the interdependence of corporations and government under capitalism.

In their American Society of Criminology paper, Kramer and Michalowski (1990) went on to note that despite its ubiquity, the structural relations between corporate and governmental organizations had been relatively peripheral to the study of corporate crime. Instead, two nearly independent bodies of research had developed. Theory and research in the area of corporate crime had concentrated primarily on organizational deviance within private business corporations. Paralleling that work but seldom intersecting with it, others had examined crimes and malfeasance by governments, what Chambliss (1989) had called "state-organized crime." Kramer and Michalowski suggested that many forms of organizational deviance are generated at the interstices of corporations and government. They used the term *state-corporate crime* to denote these forms of organizational deviance, and offered this revised definition of the concept:

State-corporate crimes are illegal or socially injurious actions that occur when one or more institutions of political governance pursue a goal in direct cooperation with one or more institutions of economic production and distribution.  
(p. 4)

Kramer and Michalowski (1990) pointed out that this definition can be applied to illegal or socially injurious actions in societies ranging from private production systems to centrally planned political economies. Their focus in



this paper, however, was on state-corporate crimes within the private production system of U.S. capitalism. State-corporate crimes within a capitalist economy involve the active participation of two or more organizations, at least one of which is in the civil sector and one of which is in the state sector. Thus, within a capitalist economy, state-corporate crimes are the harmful consequences of deviant interorganizational relationships between business and government.

*STATE-INITIATED AND  
STATE-FACILITATED CORPORATE CRIME*

The deviant interorganizational relationships that serve as the basis for state-corporate crime can take several forms. Kramer's (1992) analysis of the space shuttle Challenger explosion and Kauzlarich and Kramer's (1993) study of the relationship between the U.S. government and weapons manufacturers in the nuclear weapons production process both emphasize the central and direct role of the state in initiating a cooperative activity involving both government and business that led to a deviant outcome. Aulette and Michalowski's (1993) examination of the fire at the Imperial Food Products chicken processing plant in Hamlet, North Carolina, suggested a different kind of relationship, one where government omissions permit corporations to pursue illegal and potentially harmful courses of action that, in a general way, facilitate the fulfillment of certain state policies. Thus, Aulette and Michalowski (1993) suggested the following modification of the definition of state-corporate crime:

State-corporate crimes are illegal or socially injurious actions that result from a mutually reinforcing interaction between (1) policies and/or practices in pursuit of the goals of one or more institutions of political governance and (2) policies and/or practices in pursuit of the goals of one or more institutions of economic production and distribution. (p. 175)

Building on Aulette and Michalowski's (1993) work, Kramer and Michalowski (1993) asserted that state-corporate crime can take two distinct forms. One is state-initiated corporate crime and the other is state-facilitated corporate crime. State-initiated corporate crime (such as the Challenger explosion) occurs when corporations, employed by the government, engage in organizational deviance at the direction of, or with the tacit approval of, the government. State-facilitated corporate crime (such as the Imperial Food Products fire in Hamlet) occurs when government regulatory institutions fail to restrain deviant business activities, either because of direct collusion be-

tween business and government or because they adhere to shared goals whose attainment would be hampered by aggressive regulation.

As a sensitizing concept, the term *state-corporate crime* has three useful characteristics. First, it directs attention toward the way in which deviant organizational outcomes are not discreet acts but rather the product of the relationships between different social institutions. Second, by focusing on the relational character of the state (Wonders & Solop, 1993), the concept of state-corporate crime foregrounds the ways in which horizontal relationships between economic and political institutions contain powerful potentials for the production of socially injurious actions. This relational approach provides a more nuanced understanding of the processes leading to deviant organizational outcomes than approaches that treat either businesses or governments as closed systems. Third, the relational character of state-corporate crime also directs us to consider the vertical relationships between different levels of organizational action: the individual, the institutional, and the political-economic. This point leads toward the development of a theory of state-corporate crime.

#### *TOWARD THE DEVELOPMENT OF A THEORY OF STATE-CORPORATE CRIME*

In addition to presenting an important revision of the concept of state-corporate crime, the Kramer and Michalowski (1990) American Society of Criminology paper also introduced an integrated theoretical framework that can be used to analyze organizational offenses like state-corporate crimes. They noted that at that time there were three major theoretical approaches to the study of corporate crime, and each corresponded to a different level of social action. The first was differential association theory, as developed by Sutherland (1940, 1949/1961). The second was based on organizational theory, which argued that organizations could be criminogenic either due to the performance emphasis on goals (Finney & Lesieur, 1982; Gross, 1978; Kramer, 1982) or as a result of defective standard operating procedures (Hopkins, 1978). This organizational approach would eventually be merged with an anomie perspective (Passas, 1990; Vaughan, 1982, 1983, 1997) on corporate crime. The third approach located the criminogenic forces in the wider political economic structure of capitalism (Barnett, 1981; Michalowski, 1985; Quinney, 1977; Young, 1981). Differential association addressed the individual level of action; organizational theory focused on specific institutional factors promoting or retarding corporate crime; and political-economic or radical approaches examined the way broad, preexist-

ing societal characteristics interact with the individual and organizational levels of action.

Although the differential association, organizational, and political economic perspectives represented divergent approaches to explaining corporate and government crime, Kramer and Michalowski (1990) argued that they can be brought together into an integrated theoretical framework. The structure, dynamics, and cultural meanings associated with the political economic arrangements of any particular society will shape the goals and means of economic and political organizations, as well as the constraints they face. The organizational level of analysis links the internal structure of specific economic or political units with the external political-economic environment on one hand, and with the way in which the work-related thoughts and actions of the individuals who occupy positions in those units are conditioned by the requirements of the positions they hold and the procedures of the organization on the other hand. Differential association, by focusing on the social relations that give meaning to individual experience, directs us to examine the symbolic reality derived from social interaction within bounded organizational niches.

Table 1, created by Kramer and Michalowski (1990) and revised by Kauzlarich and Kramer (1998), presents an analytic framework for this integrated theory of organizational deviance. This framework links the three levels of analysis discussed above with three catalysts for action. These catalysts are (a) motivation or performance pressure, (b) opportunity structure, and (c) the operationality of control. This framework is designed to indicate the key factors that will contribute to or restrain organizational deviance at each intersection of a catalyst for action and a level of analysis.

This theoretical framework is based on the proposition that criminal or deviant behavior at the organizational level results from a coincidence of pressure for goal attainment, availability and perceived attractiveness of illegitimate means, and an absence of effective social control. The first catalyst for action is the emphasis on goal attainment. Political and economic structures, organizations, and individuals may place greater or lesser emphasis on the attainment of rationalized goals as the engine for social action. Thus, a highly goal-oriented individual, working in an organization that evaluates performance strictly on goal attainment by its workers in a society whose cultural and institutional framework emphasizes goal attainment above all else, will be more susceptible to pursuing deviant organizational strategies than if one or more of these conditions is absent.

The second catalyst for action suggests that organizational deviance is more likely in a society where legitimate means are scarce relative to goals. The likelihood of deviance increases for those organizations or organiza-

**TABLE 1: An Integrated Theoretical Model of State-Corporate Crime**

<i>Level of Analysis</i>	<i>Catalysts for Action</i>		
	<i>Motivation</i>	<i>Opportunity Structure</i>	<i>Operationality of Control</i>
Institutional environment (history, political economy, culture)	Culture of competition Economic pressure Organizational goals Performance emphasis	Availability of legal means Obstacles & constraints Blocked goals/strain Availability of illegal means Access to resources	International reactions Political pressure Legal sanctions Media scrutiny Public opinion Social movements
Organizational (structure and process)	Corporate culture Operative goals Subunit goals Managerial pressure	Instrumental rationality Internal constraints Defective SOPs Creation of illegal means Role specialization Task segregation Computer, telecommunication, and networking technologies Normalization of deviance	Culture of compliance Subcultures of resistance Codes of conduct Reward structure Safety & quality control procedures Communication processes
Interaction (face-to-face interaction, individual action)	Socialization Social meaning Individual goals Competitive individualism Material success emphasis	Definitions of situation Perceptions of availability & attractiveness of illegal means	Personal morality Rationalizations & techniques of neutralization Separation from consequences Obedience to authority Group think Diffusion of responsibility

SOURCE: From *Crimes of the American Nuclear State: At Home and Abroad*, by David Kauzlarich and Ronald C. Kramer. Copyright 1998 by David Kauzlarich and Ronald C. Kramer. Reprinted with the permission of Northeastern University Press.

NOTE: SOPs = standard operating procedures.

tional subunits where the allocation of means by the internal structure is inadequate relative to the organization's goals, increasing the likelihood that individuals will perceive themselves to be blocked from access to legitimate means and will subsequently seek deviant alternative routes.

Finally, the operationality of social control at all three levels will serve as both an important restraint on organizational deviance and a critical element in constructing symbolic frameworks that will operate at the societal, organizational, and personal levels as time passes. Thus, societies with high operationality of social control are more likely to produce organizations with strong corporate cultures favoring compliance with laws and regulations. Individuals who function in these organizations in such a society will be more likely to develop forms of personal morality that would mitigate against engaging in organizational deviance.

By its very nature, state-corporate crime directs us to examine the linkages between levels of analysis and catalysts for action. When the topic is profit-oriented violations of law by some business, it is possible, although not necessarily sufficient, to treat the crime as organizationally self-contained. Injurious social actions that result from concerted actions by organizations operating in different social spheres (e.g., production vs. governance), however, require that we must expand the frame of analysis, and that is what this theoretical framework attempts to do.

Since the concept and theory of state-corporate crime has been created, it has had a fair amount of influence in the field of criminology and the subfield of organizational deviance. The concept is discussed in a number of popular criminology textbooks (Barkan, 2001; Barlow & Kauzlarich, 2002; Siegel, 2001) and in several textbooks on white-collar, government, and corporate crime (Friedrichs, 1996; Simon, 1999). Published articles on the topic have been reprinted in a number of anthologies on white-collar, government, and corporate crime (Friedrichs, 1998; Geis, Meier, & Salinger, 1995; Shover & Wright, 2001). But most important, the origin and development of the concept and theory of state-corporate crime has resulted in the publication of a number of important case studies. This published research will be briefly reviewed in the following section.

#### *RESEARCH ON STATE-CORPORATE CRIME*

Kramer published the first case study of state-corporate crime in Kip Schlegel and David Weisburd's 1992 anthology *White-Collar Crime Reconsidered* (a book that grew out of the 1990 Sutherland Conference on White Collar Crime at Indiana University). At the time, most people viewed the

Challenger disaster simply as an accident. In his paper, however, Kramer explained how state and corporate actors (NASA and Morton Thiokol) interacted with one another to produce risky decision-making processes and unsafe actions that resulted in the death of six astronauts and school teacher Christa McAuliffe.

Although the technical cause of the explosion was the failure of the O-ring seal in a field joint of a solid rocket booster, larger structural and organizational factors shaped the decision making in such a way as to make the disaster more probable (for a later and more comprehensive analysis of the Challenger disaster, see Vaughan, 1996). Kramer's case study illustrated the usefulness of a multidimensional empirical analysis, as the case is best understood at points where institutional and organizational forces conjoin with cultural and definitional processes to produce conditions favorable to organizational crime. This interest in the interaction effects of historical, political, and contextual factors is also found in the second published case study of state-corporate crime, authored by Kauzlarich and Kramer (1993).

The Department of Energy (DOE) and the Atomic Energy Commission produced nuclear and atomic weapons for 50 years by contracting with private firms, mostly large, multinational corporations like Westinghouse, DuPont, General Electric, and Martin Marietta. These corporations were charged with the day-to-day manufacture and production of the weapons. The DOE owned the production equipment, but its real activities involved consulting and supervisory roles over various technical aspects of the weapons building process. The DOE also made sure that production quotas were being met.

Kauzlarich and Kramer (1993) showed how this institutional arrangement, guided by cold war cultural beliefs and structural forces both propelled and sustained by the desire for continued American capitalist expansion, resulted in massive environmental injury. For example, in 1986 the Savannah facility generated more than 200,000 gallons of waste each day, and the Hanford plant in Washington state has dumped more than 200 billion gallons of radioactive and hazardous wastes since its inception in 1942 (Steele, 1989). The contamination wrought by nuclear weapons production over the decades is so severe that in the 1990s, estimates of getting the complex into compliance with applicable environmental laws have approached \$400 billion (Congressional Budget Office, 1994).

Both the Kramer, and Kauzlarich and Kramer papers examined instances of state-initiated, state-corporate crime, as the state in both cases was consciously and explicitly involved in acts of crime commission. The next two published case studies of state-corporate crime focused on state-facilitated crimes.

Like the previously reviewed case studies, Aulette and Michalowski (1993) examined another disastrous conjoining of state and corporate interests. On September 3, 1991, an explosion and fire at the Imperial Food Products chicken processing plant in Hamlet, North Carolina, killed 25 workers and injured another 56. The technical cause of the fire was the rupture of a hydraulic line near a deep fryer that resulted in a fireball that quickly swept through the chicken processing plant. Why did so many people die and become injured by the fire? Most immediate, it was because the company routinely locked several of its fire doors, effectively sealing off many potential exits from the flames and smoke. The company later said that it had locked the fire doors to prevent employee theft of chicken and to keep flies out of the factory. But much more than these physically proximate causes and the larger drive for capital accumulation, the deaths and injuries were a product of a series of local, state, and federal crimes of omission that can be directly tied to the fate of the workers at the plant. For example, the state of North Carolina refused to support the Occupational Safety and Health Administration (OSHA) endeavors that would have made places like Imperial Foods safer for workers, even doing so little that it actually returned nearly a half a million dollars in unspent OSHA money to the federal government just prior to the fire. Also, a U.S. Department of Agriculture (USDA) inspector admitted that he knew of the company's practice of locking doors (potential fire escapes) but thought that he had no authority to do anything about it. Furthering the tragic irony, another USDA inspector actually approved of the locking of doors because he thought that it would prevent flies from contaminating the chicken inside the plant. In these ways and others (e.g., the failure of local, regional, and federal polity and assorted regulatory bodies), the worker deaths were facilitated by state inaction and negligence.

State-facilitated, state-corporate crimes like those in Hamlet involve elements of both crime commission and omission, and as such are likely to be one of the least recognizable forms of state involvement in crime. Yet injury that is tacitly allowed or mildly encouraged by the state fills the world with as much injury and suffering as those that are explicitly triggered by conspiring corporate and governmental elites. This observation inspired Matthews and Kauzlarich (2000) to analyze another catastrophic event as a state-facilitated, state-corporate crime.

On May 11, 1996, ValuJet Flight 592 crashed in the Florida Everglades, killing all 105 passengers and 5 crew members. The technical cause of the crash was a fire that erupted after one or more oxygen generators exploded in a cargo compartment. Governmental investigations have indicated that ValuJet and SabreTech (an airline maintenance company) failed to comply with a host of regulations concerning the presentation, storage, and transportation

of hazardous materials by air. More generally, however, the Federal Aviation Administration (FAA) has been found to be negligent in its oversight of airlines by not adequately monitoring the general safety of commercial aircrafts as well as its refusal to institute safeguards and guidelines that would have protected passengers and crews from crashes like that of Flight 592.

Following the lead of the earlier studies reviewed, Matthews and Kauzlarich's (2000) case study of the disaster highlighted the broader structural policies that contributed to the crash (deregulation and unbridled capital accumulation) but also addressed the very specific items marginalized or overlooked by the FAA that can be directly linked to the deaths of those on ValuJet Flight 592. These include ignoring two clear recommendations by the National Transportation Safety Board (NTSB) to (a) place smoke detectors in cargo holds exactly like the area in which the fire started on Flight 592, and (b) reclassify cargo holds so that they would contain a fire and not spread to the rest of the plane. Had the FAA followed these recommendations, the probability that Flight 592 would have landed safely would have been tremendously increased. Additionally, officials in the FAA also ignored several damning reports about the low quality and maintenance of ValuJet planes not only from other agencies such as the U.S. Department of Defense but also by FAA field inspectors.

In sum, the four published case studies of state-corporate crime show how state and corporate interests can join to produce profound social and personal injury and death. Sometimes, as with state-initiated, state-corporate crime, the state is actively and explicitly involved in crime commission. Other times, the state is complicit because it or one of its agencies has failed to protect people vulnerable to potentially harmful organizational practices. More research is needed on both types of state-corporate crime, of course, as both the theoretical model and conceptual framework were designed to be flexible analytical tools for scholarly inquiry. It would be particularly desirable for future research to examine whether etiological differences exist between state-corporate crime and other forms of organizational misconduct such as state crime and corporate crime.

### *CONCLUSION*

The concept and theory of state-corporate owes a heavy intellectual debt to the kind of theorizing and research conducted by Richard Quinney. To conclude this article, we shall revisit three major themes associated with his work that are found in the published case studies and theory of state-corporate crime.



First, work on state-corporate crime has been largely inspired by Quinney's vision of a criminology that not only takes the crimes of powerful individuals seriously but also harmful organizational and institutional practices that result from economic and political stratification in advanced capitalist societies. Institutional and organizational arrangements reflecting economic inequality can and do produce criminogenic patterns and practices, even when they are tacit or latent results of normative economic and political processes. In the cases reviewed here, it is also noteworthy that the major regulatory/social control bodies were inadequate because they were either guided by elites or working directly or indirectly for elite interests. The theory of state-corporate crime suggests that formal social control is but one, and perhaps the least effective, way to control organizational crime and deviance. Real control must grow from social movements, grass-root activities, a truly aggressive and inquisitive media, and most important, open and democratic participation in the political process. Furthermore, the tragedies reviewed here were made more likely by the lethal mix of apathy, disinformation, secrecy, and a reliance on elite regulation of elites.

Second, the case studies and theory reflect the precept that the intersection of history and political economy is a starting point for the scholarly investigation of crime, not simply an intervening, mediating, or exogenous factor or variable. Indeed, the various goals of the offending organizations are nested in particular historical contexts and have their roots in the drive for capital accumulation, capital facilitation, political legitimacy, and/or hegemony. Cultural definitions favorable to capitalism along with a conspicuous ambivalence displayed by elites for the safety of workers, consumers, and the natural environment also provided fertile grounds for the crimes. To wit: deregulation in the ValuJet case, political expediency in the Challenger disaster, imperialism in the nuclear weapons production case, and incredibly high levels of antiworker and probusiness interests in the Imperial Food case. Of course, other levels of analysis and catalysts for action must also be examined as proximate causes of organizational misconduct, but always within the nexus of a multidimensional analytical framework.

Finally, whereas each of the papers on state-corporate crime made an academic contribution to the study of elite crime and deviance, the empirical, theoretical, and substantive advances were rooted in and imbued with the spirit of humanism, a quality found throughout Quinney's work during the years. This humanist spirit prompts fundamental questions such as, How and why are peace and harmony compromised by the interests of state legitimacy and the drive for corporate profit? and, How and why are the human rights of others disrespected and marginalized because of political expediency and the banality of bureaucratic organization? These kinds of questions will continue

to drive further research and theorizing on state-corporate crime. And state-corporate crime researchers will always be able to look, as we have, to the body of work produced by Richard Quinney for guidance and inspiration.

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