

CRIMES OF GLOBALIZATION

Dawn L. Rothe and David O. Friedrichs

NEW DIRECTIONS IN CRITICAL CRIMINOLOGY



ROUTLEDGE



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*Dawn L. Rothe and
David O. Friedrichs*

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'Written with drive and flair, this book intends to shake up criminology. It encourages it to move away from parochial concerns and towards addressing the global issues of our time. *Crimes of Globalization* is a wake-up call – for social science in general and for criminology in particular.'

Dr Francis Pakes, *University of Portsmouth, UK*

'A lucid – and provocative – introduction to the crimes of global financial institutions.'

David Nelken, *Distinguished Professor of Sociology,
University of Macerata, Italy*

'Criminology has a critical role in exposing, interpreting, explaining and responding to harms perpetrated by international financial institutions. This book provides a stimulating, controversial and provocative foundation for addressing the present injustices associated with, and future uncertainties created by, the crimes of globalisation. Not to be missed.'

Professor Rob White, *University of Tasmania, Australia*

'This compelling narrative of globalization and crime navigates the boundary between global harms and crimes and the space between the powerful international institutions of globalization and its powerless victims. Dawn L. Rothe and David O. Friedrichs, both renowned for path-breaking work in the area of global, state and white collar crime, open up new perspectives and provide fresh insights into the world of crimes of globalization. With thought-provoking case studies, conceptual clarity and theoretical imagination this book is a must-read for every truly global criminologist – teachers and students alike.'

Susanne Karstedt, *Professor of Criminology,
University of Leeds, UK*

CRIMES OF GLOBALIZATION

This book addresses immensely consequential crimes in the world today that, to date, have been almost wholly neglected by students of crime and criminal justice: crimes of globalization. This term refers to the hugely harmful consequences of the policies and practices of international financial institutions—principally in the global South. A case is made for characterizing these policies and practices specifically as crime. Although there is now a substantial criminological literature on transnational crimes, crimes of states, and state-corporate crimes, crimes of globalization intersect with, but are not synonymous with, these crimes.

Identifying specific reasons why students of crime and criminal justice should have an interest in this topic, this text also identifies underlying assumptions, defines key terms, and situates crimes of globalization within the criminological enterprise. The authors also define crimes of globalization and review the literature to date on the topic; review the current forms of crimes of globalization; outline an integrated theory of crimes of globalization; and identify the challenges of controlling the international financial institutions that perpetrate crimes of globalization, including the role of an emerging global justice movement.

The authors of this book have published widely on white collar crime, crimes of states, state-corporate crime, and related topics. This book will be essential reading for academics and students of crime and criminal justice who, the authors argue, need to attend to emerging forms of crime that arise specifically out of the conditions of globalization in our increasingly globalized, rapidly changing world.

Dawn L. Rothe is an Associate Professor of Criminology at Old Dominion University.

David O. Friedrichs is Distinguished Professor of Sociology/Criminal Justice at the University of Scranton.

New directions in critical criminology

Edited by Walter S. DeKeseredy,
West Virginia University, USA

This series presents new cutting-edge critical criminological empirical, theoretical, and policy work on a broad range of social problems, including drug policy, rural crime and social control, policing and the media, ecocide, intersectionality, and the gendered nature of crime. It aims to highlight the most up-to-date authoritative essays written by new and established scholars in the field. Rather than offering a survey of the literature, each book takes a strong position on topics of major concern to those interested in seeking new ways of thinking critically about crime.

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6. **Crimes of Globalization**
Dawn L. Rothe and David O. Friedrichs

**For our grandchildren: Danny, Breahnna, Branden, Ariana,
and Indy, with our hope that they and their generation will live
out their lives in a just world with a sustainable environment.**

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NOTES ON AUTHORS

Dawn L. Rothe is an Associate Professor of Criminology at Old Dominion University. She is the author or co-author of six books and over six dozen peer-reviewed articles and book chapters dealing with related topics to crimes of globalization, including state-corporate crime, state crime, and the international criminal justice system. Her articles appear in such journals as *International Criminal Review*, *Contemporary Justice*, *Criminology and Public Policy*, *Justice Quarterly*, *Crime, Law and Social Change*, and *Social Justice*, as well as in various books. She has been a Visiting Professor and/or Guest Lecturer at a number of universities in Croatia, South Africa, the United Kingdom, and Belgium. In 2008 she received the Critical Criminologists of the Year Award of the Division on Critical Criminology of the American Society of Criminology and in 2010 she was the recipient of the White Collar Crime Research Consortium Young Scholar of the Year award.

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We thank our family and friends for their support, with special thanks to Jessica Friedrichs, whose experience living among Thai river indigenous fishing people in 1999–2000 provided the original impetus for the “crimes of globalization” concept. She was the co-author of the seminal article on this topic first published in 2002, and reprinted a number of times since then. Many colleagues and friends within the field have over the years inspired and encouraged us, and a number of them have co-authored related articles with one of us: Victoria Collins, Christopher Mullins, and Stephen Muzzatti.

Our respective universities have provided us with various forms of support that allow us to pursue projects such as this one: Old Dominion University, College of Arts and Letters, and the Department of Sociology and Criminal Justice. We also thank and acknowledge the work of Stephen Young, a PhD research assistant at Old Dominion University, for helping with the format and references.

For David Friedrichs, his Distinguished Professor annual research stipend has allowed him to visit libraries and acquire books and other materials that were essential to the production of this book. We are both fortunate to have supportive department colleagues.

In this book we draw upon earlier and related publications of ours, and especially: David O. Friedrichs and Jessica Friedrichs, "The World Bank and Crimes of Globalization: A Case Study," *Social Justice*, 29 (2002): 13–36; David O. Friedrichs, "Comparative Criminology and Global Criminology as Complementary Projects," pp. 163–82, in David Nelken (Ed.), *Comparative Criminal Justice and Globalization*. Surrey, England: Ashgate (2011); David O. Friedrichs and Dawn L. Rothe, "Crimes of Globalization as a Criminological Project: The Case of International Financial Institutions," pp. 45–63, in Francis Pakes (Ed.), *Globalisation and the Challenge to Criminology*, London: Routledge (2013); David O. Friedrichs and Dawn L. Rothe, "Crimes of Globalization," pp. 769–78, in Gerben Bruinsma and David Weisburd (Eds.), *Encyclopedia of Criminology and Criminal Justice*, Volume 2. New York: Springer (2013); Dawn L. Rothe and David O. Friedrichs, "Controlling Crimes of Globalisation: A Challenge for International Criminal Justice," in Willem de Lint, Marinella Marmo, and Nerida Chazal (Eds.), *Crime and Justice in International Society*. London: Routledge; Dawn L. Rothe, "Facilitating Corruption and Human Rights Violations: The Role of International Financial Institutions," *Crime, Law and Social Change* 53, 5 (2010): 457–76; and Dawn L. Rothe, "International Financial Institutions, Corruption and Human Rights," pp. 177–97, in Martine Boersma and Hans Nelen (Eds.), *Corruption and Human Rights*. Antwerp: Intersentia (2010).

This book is much focused upon what lies ahead: the future. Accordingly, it seems especially fitting to us to dedicate the book to our grandchildren who will live out their lives in that future world.

PREFACE

This short book addresses a type of crime—namely, crimes of globalization—that has been little recognized to date, but which the authors will claim is of great consequence, and will as the twenty-first century progresses assume ever greater significance. Before proceeding, however, we will address a question that may well occur to potential readers of this book who are students of crime and criminal justice: Why should we devote any time or attention to something characterized as “crimes of globalization,” which the authors concede at the outset lies well outside the parameters of traditional and current mainstream understandings of crime and criminal justice? Undergraduate criminology and criminal justice students assume that topics addressed in core courses such as Introduction to Criminal Justice, Criminology, Juvenile Delinquency, Policing, Courts, Corrections, and so forth, have some direct relevance for preparing them for prospective careers as police officers, state troopers, federal enforcement agencies, probation and parole officers, court administrators, and correctional institution personnel—or as prosecutors or criminal defense lawyers, should they go on to law school. Graduate students in criminology and criminal justice programs who plan on pursuing careers as professors or researchers

also assume that the courses they take and the thesis or dissertation topics they address have some direct relevance in preparing them for their future careers. But it is our core premise—especially for students who are preparing for a career in the field that will stretch over many decades, well into the second half of the twenty-first century—that they will have to adapt to a rapidly changing world. And the world of crime and criminal justice specifically is quite certain to be transformed—on many different levels—in the decades ahead. We anticipate that to be effective in criminology and criminal justice careers it will become increasingly necessary to be well versed not only in local, state, and federal crime and criminal justice-related conditions, but in the global context as well. In an increasingly interconnected, globalized world what transpires on the global level will increasingly impact crime and criminal justice within the boundaries of countries. For those whose professional work will not involve direct engagement with the type of crime addressed in this book, we argue that such types of crime are likely to be an increasingly important part of the context within which they carry out their professional work. For example, we envision that criminal justice personnel will increasingly be dealing with migrant and immigrant populations that have been affected by crimes of globalization as addressed in this book. We also anticipate that the widespread global unrest we are witnessing at the outset of the second decade of the twenty-first century—for example, the Arab Spring, the European anti-austerity demonstrations and riots, and the Occupy Wall Street movement—will provide a foundation for an increasingly interconnected, disproportionately youth-driven global uprising against a fundamentally unjust and unsustainable political economy. The international financial institutions addressed in this book—and other global institutions of high finance—have already been and will continue to be one focus of such global protest movements and uprisings. Criminologists and criminal justice professionals need to be well-informed about the conditions giving rise to such uprisings and the targets of protests if they are to participate in responses that are both effective and in tune with promoting social justice.

Although international institutions of justice are hardly new, they are now proliferating. The International Criminal Court is still in its infancy, having only been implemented at the outset of the new century. It may

well be that a growing proportion of current students of criminology and criminal justice will have opportunities to work for international and global policing and regulatory entities, and being well informed about crimes of globalization should prove helpful to such individuals. Many commentators—especially in recent years—have noted the parochialism of much mainstream criminology. We would like to think that this short book makes one modest contribution to the larger project of transcending such parochialism, and that students of crime and criminal justice on all levels will derive some benefits from such endeavors. We are not deriding, wholesale, the value of mainstream criminological scholarship and research. Conventional crime, broadly defined, is real, and clearly has multiple harmful consequences, disproportionately visited upon the disadvantaged and underprivileged. The system of criminal justice, broadly defined, is a necessary enterprise for a civilized and relatively secure society. But we also claim here that mainstream criminological and criminal justice research disproportionately serves the interests of the powerful and privileged classes, and either intentionally or unintentionally contributes to the perpetuation of many forms of oppression and injustice against the powerless and the underprivileged classes. Furthermore, we would suggest that at least some types of conventional crime and the control of such crimes have been over-studied by now, with diminishing returns in terms of achieving socially useful outcomes. Crimes of globalization and its control has surely been under-studied to date, and we like to think that promotion of greater attention to such phenomena opens up whole new areas of criminological research.

If crimes of globalization have been under-studied—or with a few exceptions hardly studied at all by criminologists—this can in part be attributed to the fact that such crimes have simply not been “visible” within the existing criminological conceptual framework. It is worth noting that there is a long history within criminology of some types of crime that were originally not visible and not addressed by criminological inquiry, but subsequently became the focus of a large and growing body of criminological work: for example, crimes of abuse against women (“domestic violence”), crimes of respectable professionals and small business owners (of the “white collar” class), crimes of corporations, crimes of states, and crimes against the environment (“green crime”). One of our objectives for this book,

then, is to help render visible a hitherto largely invisible type of crime, with the hope that this type of crime too will over time become the focus of a significant volume of criminological inquiry.

We can anticipate a potential form of criticism of the call for more criminological attention to crimes of globalization and its control: any such criminological scholarship is highly unlikely to have a measurable influence on those who make and implement crime-related policies. We have no illusions about the resistance of policy-makers and practitioners to engaging in any way with such scholarship, for multiple reasons, and most especially if it explicitly or implicitly is threatening to their interests and their agenda. But has mainstream criminological scholarship been constructively influential with policy-makers and practitioners? Arguably in some limited areas it has been, but often only when it is in synch with the political agenda of policy-makers and practitioners. The policies and practices that have produced “mass imprisonment” in the United States in the recent era—with many widely demonstrated catastrophic consequences, especially for disadvantaged communities—have been adopted and implemented despite being at odds with a large body of criminological research during this era. If policy-makers consult and cite criminological research, it is often in the form of “cherry-picking” it to the extent that they find it useful for their own purposes. We do not have any illusions, then, that elite policy-makers and practitioners would be likely to be influenced by a criminology of crimes of globalization, and the policy initiatives that could be derived from such a criminology. But we also like to believe that “power from below” will expand significantly in the decades ahead, and that those at the center of “up from the bottom” transformative social policies might well be influenced by a criminology of crimes of globalization. Social activist groups, rather than state agencies, might be the natural audience for scholarship emanating from such a criminology. Altogether, we like to think that it is worthwhile to produce criminological scholarship that reveals and dissects profoundly consequential social and political conditions that are demonstrably harmful, and to harbor the hope that such criminological scholarship will ultimately have constructive consequences.

Finally, and what logically follows from the preceding observations, the crimes of globalization that are addressed in this book produce

especially pervasive forms of social injustice. All students of crime and criminal justice inevitably engage with issues of justice and injustice, and are hopefully drawn to the subject matter of criminology and criminal justice due in part to their concern with justice and injustice. We are favorably disposed towards the argument put forth long ago by Richard Myren (1980), in his call for “justiciology”: that the study of *criminal* justice should be intertwined with the study of *civil* justice and *social* justice. Accordingly, we hope that readers of this book will conclude that we have identified a significant form of injustice that has criminal, civil, and social dimensions.

Indeed, one potent motivating factor for the authors in producing this book is our strongly held conviction that the present architecture of the political economy of the global North and Western states such as the United States, and in a broader sense a global or international political economy, is inherently unjust and unsustainable. And as one part of this, we share with many other commentators and observers a deep-seated concern with potentially catastrophic developments in the decades ahead, which in the extreme case threaten the survival of humanity. The broader threats include (but are not limited to) “overload of the ecosystem, overpopulation, unsustainable growth, species extinction, growing inequality, global injustice . . . global warming and peak oil” (Jackson 2012: xvi). At least *some* of the potential future catastrophes and threats would be rooted in criminogenic conditions currently embedded within our political economy, and the related crimes of the powerful. We believe that it is difficult to overstate the urgency of anticipating these major threats and potential catastrophes, and fostering a broad, critical mass of scholarly inquiry that identifies as exhaustively as possible criminogenic conditions most likely to bring about the realization of major threats and potential catastrophes as well as the optimal social policies and practices that might limit, contain or mitigate these threats and catastrophes. Criminologists need to be part of this endeavor, with the present book offered as just one modest contribution to this scholarly enterprise. For criminologists who share our concerns about the future, a reordering of priorities in relation to the focus of their work might be worth considering.

This introduction has been drafted in January, 2013. If we go back eighty years, to January, 1933, a new chancellor was taking office