



Beyond State-Fetishism: Developing a Theoretical Programme for State Crime Studies

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BEYOND STATE-FETISHISM: DEVELOPING A THEORETICAL PROGRAMME FOR STATE CRIME STUDIES

*MÁS ALLÁ DEL FETICHISMO DEL ESTADO: EL DESARROLLO DE UN PROGRAMA TEÓRICO
PARA LOS ESTUDIOS SOBRE CRÍMENES DE ESTADO*

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ABSTRACT

In ways that were perhaps unimaginable even a decade ago, state crime studies has the opportunity to become a rich intellectual resource for diverse struggles of resistance opposed to the crimes of the powerful. However, this role is by no means assured. One barrier that must be overcome is a disciplinary tendency to fetishise those organisational forms – principally states and corporations – through which capitalist relations of production function. This paper will examine the epistemological roots of organisational fetishism, and the consequential effects this analytical tendency has on understandings of state crime. We will then consider how the method, and conceptual framework, which Marx developed to inquire into the sinuous core of the capitalist mode of production can be used to move beyond fetishised understandings of the state. To demonstrate the complexity of the theoretical task before us, I will draw upon the example of Papua New Guinea, a country that has witnessed a range of gross human rights violations associated with the Bougainville war, and which departs in many ways from archetypal models of capitalism. Nevertheless, it will be maintained that Marxism remains a vital framework for enriched understandings of state crime in Papua New Guinea, that move beyond fetishised accounts of elite offending.

Key words: State Crime, Crimes of the Powerful, Marxism, Papua New Guinea, Bougainville.

RESUMEN

De un modo quizás inimaginable hace una década, los estudios sobre criminalidad estatal tienen hoy la oportunidad de convertirse en un poderoso recurso intelectual para las luchas de resistencia frente a los crímenes de los poderosos. Sin embargo, esta función no está asegurada. Una de las barreras que aún debe superarse es la tendencia a fetichizar las formas organizacionales, principalmente Estados y empresas, a través de las que funcionan las

relaciones de producción capitalista. Este texto analiza las raíces epistemológicas de este fetichismo organizacional y los efectos que tal tendencia analítica genera en el entendimiento de los crímenes estatales. Posteriormente veremos que el método y el marco conceptual desarrollados por Marx para analizar el complejo núcleo del modo de producción capitalista pueden emplearse para ir más allá de las interpretaciones fetichizadas del Estado. Para demostrar la complejidad teórica de la tarea, recurriré al ejemplo de Papúa Nueva Guinea, un país que ha sido testigo de un amplio abanico de violaciones de derechos humanos vinculadas a la guerra de Bougainville, y que está al margen, por diferentes motivos, de los modelos arquetípicos de capitalismo. Sin embargo, como se verá, el marxismo continúa siendo un marco teórico útil para ofrecer interpretaciones complejas de la criminalidad estatal en Papúa Nueva Guinea, que van más allá de los discursos fetichizados de las infracciones de las élites.

Palabras clave: Crimen de Estado, crímenes de los poderosos, marxismo, Papúa Nueva Guinea, Bougainville.

1. Introduction

Over the past five years we have received an important education on state crime, not by scholars – though their important contributions should not be ignored – but by masses of people taking to the streets. The Arab Spring is perhaps the most notable and profound example of diverse social groups coming together in condemnation of illicit state practices, attached to which have been revolutionary measures designed to sanction and transform deviant states (Friedrichs, 2012; Marfleet, 2013; Patel, 2013). But the Arab Spring is not the only social movement to emerge of late in reaction to the crimes of the powerful. Occupy Wall Street, for example, sparked an inspiring wave of social protest directed against the cronyism and corruption of the state-financial complex. Wikileaks is another critical addition to the resistance terrain; their innovative and fearless efforts to shed light on the illicit activities of the political and economic elite, has sparked information activism, online innovation and numerous exposés. And these are the movements which have managed to capture the Western imagination, hidden away beyond Western eyes are other equally important social movements in places such as Argentina, Brazil, Burma, the Democratic Republic of Congo, Kenya, Papua New Guinea, and Turkey (see International State Crime Initiative, www.statecrime.org).

Accordingly, in ways that were perhaps unimaginable even a decade ago, state crime studies has the opportunity to become a rich intellectual resource for diverse and dynamic struggles of resistance. However, this role is by no means assured. The ability of state crimes studies to contribute to emancipatory social movements, hinges on our scholarly capacity to develop the sort of vital theoretical tools needed to understand the elusive processes behind state criminality, and the fault-lines upon which resistance emerges. One barrier that must be overcome, in this respect, is a disciplinary tendency to fetishise those organisational forms through which class relations function. To borrow from Marx (1976, p.165), states and corporations are frequently portrayed as “autonomous figures endowed with a life of their own, which enter into relations both with each other and with the human race”. It is vital that we pare back these deceptive appearances, and reconstruct organisations as expressive moments of changing relationships between people.

To that end, the following paper will examine the epistemological roots of organisational fetishism, and the effects this analytical tendency has on understandings of state crime. We will then consider the method, and conceptual framework, Marx developed to inquire into the sinuous core of the capitalist mode of production. It will be argued that this framework offers an important *starting* point for moving beyond fetishised understandings of the state. However, it will also be noted that Marx's theoretical programme remained incomplete at the time of his death; of particular importance to our current focus is his intended volume on the state. This paper will argue that if we are to move beyond state fetishism renewed efforts must be invested in conceptualising unmapped dimensions of capitalist productive relations which help explain the capitalist state-form – in line with Marx's original plan (Marx and Engels, 1982, p. 97). It will also be suggested that “the abstraction of the political state”, is a misleading appearance which must be challenged through an inquiry that transcends popular distinctions between ‘economics’ and ‘politics’ (Marx, 1975, p. 90). However, more expansive, state-inclusive understandings of the capitalist mode of production is only the first step; of equal importance is the construction of empirically rich appreciations of the complex and divergent ways in which these relations are operationalised within specific regional contexts, and the peculiar criminogenic balances capitalism's many concrete faces produce.

To illustrate the challenging analytical task facing state crime studies, the example of Papua New Guinea will be employed. Although Papua New Guinea's path of development departs significantly from classical models of capitalism, it will nonetheless be argued that Marxism is an indispensable tool for inquiring into the serious state-corporate crimes perpetrated during the Bougainville conflict (1988-1998), a war in Papua New Guinea's easternmost province that took between 10,000 and 20,000 lives. However, if Marxism is to play a productive role explaining state crime in regions whose path of capitalist development departs significantly from classical archetypes, we must construct – in dialogue with allied fields – methodologically rigorous tools that enable scholars to conceptualise unique articulations of capitalist development which are mediated through socio-cultural configurations that are sometimes viewed – wrongly – as incompatible with capital accumulation, e.g. customary property rights, tribal formations, patrimonial regimes, etc.

2. A Critique of State-Fetishism

In *Value, Price and Profit*, Marx (1969) observes: “It is ... paradox that the earth moves round the sun, and that water consists of two highly inflammable gases. Scientific truth is always paradox, if judged by every-day experience, which catches only the delusive appearance of things”. So, in Marx's formulation appearances observed from the vantage point of sense-perception only capture a fleeting glimpse of a much more complex reality. For instance, when exchange is looked at in isolation, Marx (1976, p. 280) notes, the sale of labour-power appears the “exclusive realm of Freedom, Equality, Property and Bentham [self-interest]” – i.e. workers freely exchange their property, labour power, for an equivalent, a proportionate wage. However, once we broaden our frame to include historically developed productive relations, according to Marx, it is clear that the worker only chooses which individual unit of capital they sell their labour power to; overall they must submit to capital as a class. Therefore, free-labour on, deeper reflection, is a deceptive appearance that mystifies a forced transaction.

Perhaps not surprisingly then Marx takes a dim view of scholars who treat appearance as a foundation for science. He writes: “The vulgar economist thinks he has made a great discovery when, in face of the disclosure of intrinsic interconnection, he proudly states that on the surface things look different. In fact, he boasts that he sticks to appearance, and takes it for the ultimate” (Marx, 1981, p. 197). One particular error made by empiricist analyses of this type is referred to by Marx as fetishism. Generally speaking fetishised analyses involve the attribution of power/features to things – for example, an organisation or individual – which they actually acquire from the social relationships they are immersed within. Commodity-fetishism is perhaps the most famous instance of this mistaken-practice highlighted by Marx.

What permits commodities to exchange as equivalents, he argues, is the value relation that forms between different types of labour in an economic system marked by production for exchange. This relation draws out a common quality heterogeneous labour-forms share. Marx (1976, p. 135) explains, “tailoring and weaving, although they are qualitatively different productive activities, are both a productive expenditure of human productive activities, are both a productive expenditure of human brains, muscles, nerves, hands etc., and in this sense both human labour”. Accordingly, he notes, the exchange-value of commodities is constituted in the first instance by the “congealed quantities of homogenous labour” contained within them (Marx, 1976, p. 136). Yet from the vantage point of immediate appearance the exchange-value of commodities appear to be a result of the latter’s intrinsic features:

(...) The commodity reflects the social characteristic of men’s own labour as objective characteristics of the products of labour themselves, as the socio-natural properties of these things ... It is nothing but the definite social relation between men themselves which assumes here, for them, the fantastic form of a relation between things. (Marx, 1976, p.165)

The general point Marx makes here with respect to commodities can be usefully applied to state crime studies. Like the commodity-form, state power – and the criminogenic potentialities latent in its expression – appears to be a force whose character is determined by the intrinsic properties of specific institutional ensembles erected through a prolonged period of nation-state building. With this institutional ensemble as their base, states seem to enter into relations with other states, and their own population. Associated with this fetishised interaction are a range of descriptive dichotomies – e.g. public/private sector, state/civil society, and national/international. The task of science is not to accept these surface appearances, much less extrapolate from them causative theories of state crime offending; rather, through a process of theoretically mediated inquiry we must conceptualise the rich complex of social processes which function through the state system and its institutional apparatus, endowing them with a range of powers and characteristics.

This point has been persuasively argued by Tombs (2012) in an important critique of the state-corporate crime literature. Tombs rightly observes that Kramer and Michalowski are owed a special debt for noting, and conceptualising, the criminogenic intersections of power that make states and corporations co-conspirators in significant criminal activity (see Kramer and Michalowski, 1991). However, according to Tombs, subsequent research into state-corporate crime – largely conducted through the case study methodology – has been weakened by certain problematic analytical tendencies. In particular, Tombs (2012, pp. 174-75) notes that these studies have tended to “focus upon what are essentially forms of discrete joint ventures between corporations and states”, and thus abstract the “events from ongoing

relationships and wider contexts, each of which may require theoretical comprehension in their own terms as well as to perceive adequately the original event(s) under consideration”. To avoid this problematic analytical path, Tombs (2012, p. 175) suggests that case studies must be “generated as vehicles which are operationalised through both theoretical frameworks and their related, internally consistent, conceptual tools which ground such cases in more fundamental relations and processes of contemporary capitalism and its dynamics”.

Applying this formulation the challenge is not so much to catalogue state crime events, and discover trends common to a range of different episodes, rather scholars need to develop an approach capable of understanding how the material relations constitutive of capitalism emerge, and expand unevenly, operationalising within regional contexts in particular configurations; also we must then be able to identify the distinct set of criminogenic potentialities which develop within particular regional articulations of capitalist development, examining in detail the specific historical events that have triggered or actualised these potentialities. With this in mind we will now move on to consider how Marxism, in its classical formulation, offers a “theoretical framework” and “internally consistent conceptual tools” capable of implementing such a state crime research agenda.

3. Doing Science Differently – the Marxist Approach

In one of the first groundbreaking attempts to formulate a criminology of the powerful, Pearce (1976, p. 52) summarises the overarching objective that informed Marx’s scholarship: “In his scientific work Marx was concerned to develop concepts which would uncover the reality behind the appearance which concealed it”. To that end, Marx saw a great range of elusive social processes stimulating historical motion; empirical inquiry and theorisation were the bridges across which science needed to pass in order to flesh them out. The first important step Marx took to transcend the abstract vantage point of immediate observation, was embarked upon in partnership with his life-long intellectual collaborator Engels. Together in *The German Ideology*, they gave broad conceptual outline to those inner-connections that form the material nucleus of social reality. Announcing their revolutionary framework, Marx and Engels wrote:

This [materialist] conception of history depends on our ability to expound the real process of production, starting out from the material production of life itself, and to comprehend the form of intercourse connected within this and created by this mode of production (i.e. civil society in its various stages), as the basis of all history; and to show it in its actions as State, to explain all the different theoretical products and forms of consciousness, religion, philosophy, ethics, etc. etc. and trace their origins and growth from that basis: by which means, of course, the whole thing can be depicted in its totality (and therefore, too, the reciprocal action of these various sides on one another) (Marx and Engels, 1968, p. 50).

At this early stage in their intellectual career, the formulation presented here was only a starting point. Not only would Marx and Engels considerably refine the broad conceptual outlook which informed their scholarship – referred to as historical materialism – Marx, in particular, would begin the challenging task of conceptually teasing out those provocative relations which stand at the sinuous core of the capitalist mode of production. This demanded a stripping back of all the bewildering processes these relations inspire, in order to define the most elementary relationships, before moving on to gradually conceptualise more complex constellations of determinations. In other words, Marx needed to identify and study

‘molecular’ social bonds, before attempting to conceptualise how they form part of more complex social compounds. His methodology, in this respect, is famously articulated in the introduction to his economic notebooks:

It seems to be correct to begin with the real and the concrete, with the real precondition, thus to begin, in economics, with e.g. the population, which is the foundation and the subject of the entire social act of production. However, on closer examination this proves false. The population is an abstraction if I leave out, for example, the classes of which it is composed. These classes in turn are an empty phrase if I am not familiar with the elements on which they rest. E.g. wage labour, capital, etc. These latter in turn presuppose exchange, division of labour, prices, etc. For example, capital is nothing without wage labour, without value, money, price etc. Thus, if I were to begin with the population, this would be a chaotic conception [*Vorstellung*] of the whole, and I would then, by means of further determination, move analytically towards ever more simple concepts [*Begriff*], from the imagined concrete towards ever thinner abstractions until I had arrived at the simplest determinations. From there the journey would have to be retraced until I had finally arrived at the population again, but this time not as the chaotic conception of a whole, but as a rich totality of many determinations and relations. (Marx 1973, p. 100).

Out of the daunting abstractive path traced here by Marx, emerged three volumes – only one of which was published during his life – that conceptualised significant dimensions of the relational complex through which capital accumulates. The significance of this body of theory for a criminology of the powerful has been pointed to by Tombs and Whyte (2002, p. 222):

The labour theory of value and the theory of surplus value, the necessarily antagonistic relationship between classes, the inherent tendency of capitalism to expand, destructively, whilst at the same time reproducing the contradictions upon which it is founded, all seem to be crucial tools for understanding and engaging with the trajectories of the world. (see also Young, 1981, pp. 324-25).

In this time of theoretical renewal, prompted by the spectacular failure of triumphant capitalism to resolve its own contradictions, the groundbreaking contribution made by Marx ought to be emphasised. Equally, however, if we are to deepen the ambitious programme Marx and Engels launched, we must pinpoint with clarity the significant heavy lifting still required to advance it into theoretical and empirical areas left largely untouched by its founders. In this respect, I will focus on three particular challenges confronting criminology if it is to appropriate Marxism as a framework for understanding state crime.

Perhaps the most critical challenge – given our subject matter – is the absence of theoretical concepts in Marxism that captures the complex intersection of productive relationships that engender those social practices out of which capitalist states emerge. This failure has led Marxists, from a range of traditions, to deduce the state, or state system, from the truncated conceptual framework laid out in the first three volumes of *Capital*. To borrow from Bensaïd (2002, p. 239), such approaches want “to expound ‘the science before science’: that is the real trap”. Indeed, Marx’s path of inquiry and exposition was one built through a conceptual process of “production and transition” (Bensaïd, 2002, p. 229), accordingly there is no reason to think that his programme of progressively articulating more concrete determinations constitutive of capitalism had been completed by the end of *Capital* volume three, or that the state had been purposely omitted. On the latter front Marx made clear to Engels in 1858 that the state-form would be interrogated in *Capital*, “the whole business [*Capital*] is to be divided into six books: 1) Capital. 2) Landed Property. 3) Wage Labour. 4) State. 5) International

Trade. 6) World Market” (Marx and Engels, 1982, p. 97). Certainly there is enough evidence in Marx’s published work to suggest that he understood the state-form, in its historical particularity, to be a mediated expression of productive relations.

Marx’s notes on pre-capitalist social formations is a case in point. Reflecting on early sedentary human communities, Marx observes that it is not in man’s nature to settle on and cultivate land. Rather, this is a socially constructed practice which presupposes the “communality of blood, language and customs” (Marx, 1973, p. 472). As a result of this vital social presupposition, Marx argues, “the individual is placed in such conditions of earning his living as to make not the acquiring of wealth his object, but self-sustenance, his own reproduction as a member of the community ... The survival of the commune is the reproduction of all of its members as self-sustaining peasants, whose surplus time belongs precisely to the commune, the work of war etc” (Marx, 1973, p. 476). Out of this historical dynamic emerges ancient states which institutionally articulate, “the relation of these free and equal private proprietors to one another, [and] their bond against the outside”; at the same time the ancient state is “their safeguard ... the peasants’ independence rests on their mutual relations as commune members, on protection of the *ager publicus* for communal needs and communal glory etc” (Marx, 1973, pp. 475-76). Although preliminary sketch, the point is Marx sees any serious explanation of the ancient state-form as rooted in a clear conceptualisation of productive relations. It would be strange to think he abandoned this view in *Capital*.

But it would be correct to think that the complex determinations which prompt the capitalist state-form were to be conceptually articulated by Marx at a later stage in the path to the concrete, had he the time to complete his scientific agenda. Indeed, while Marx acknowledges that state power was a vital lever during capitalism’s prehistory, when articulating capitalism’s current social nucleus, he focuses on more elementary determinations wed through markets. This allows Marx to flesh out the ultimate source of surplus value, its method of extraction by capital as a class, and the ways in which individual capitals dispersed across a range of accumulative fields, are able to seize a shares of the surplus extracted from the immediate producer. Marx’s analysis of these elementary processes permitted him to note the tendency of capital to intensively and extensively drive the expansion of the productive forces, creating more integrated forms of social production –a process which is married to equally intrinsic forms of destruction and waste – that generate growing masses of wealth in the abstract form which are privately appropriated by increasingly concentrated and centralised units of capital.¹

An advanced, social mode of production organised around private forms of appropriation, which functions on a global scale, strongly implies the emergence of productive practices capable of managing this integrated and expansive system. However, as it is not simply social production in the abstract, but social production mediated through capitalist relations of production, the organisation of these practices will necessarily reflect, in mediated ways, the more molecular processes of capital accumulation. We are thus talking about a set of relations and practices capable of stimulating, shaping and regulating a process of capital accumulation that takes place through socially organised forms of production, circulation and consumption; this demands quite complex techniques for managing space, people, markets, property forms, infrastructure, flows of wealth, knowledge, health, crime, conflict and crisis, which

¹ By social production I mean a system where dispersed units of production function as a totality.

simultaneously enhance/defend the process of capital accumulation (see Foucault, 2008). For example, individual units of capital do not have the motivation or capacity to identify the rate and nature of growth in urban industry, the demands which it will place on labour supply, the appropriateness of existing means of communications and transport hubs, the consequential impact on the ecological environment, the new social problems industrial growth will generate in terms of crime, migration, poverty, and overcrowding, and the sort of infrastructure needed to maximise and manage increases in the circulation of people, goods, and money including roads, bridges, schools, emergency services, shopping areas, etc. Accordingly, this system of rapidly expanding social production, which is conditioned by the competitive dynamics of capital accumulation, has been accompanied by and bound to a set of practices capable of analysing, measuring and reacting to these social processes, into which are woven the contradictions and conflicts inherent to capitalism. It is this poorly theorised, social moment of capitalist productive relations that the state-system is an acute expression of.

For a field that takes the state-form – and those relations standing behind it – as its focus, this is a challenging theoretical reality. At the same time, it is one that state crime studies is an especially good position to contribute. After all our field scrutinises those practices and knowledge forms constitutive of capitalist government, and the contradictions latent within them. That said, closing the gaps in the Marxist theory of capitalist productive relations is only part of the challenge, state crime studies must also harness this evolving conceptual framework to understand the distinct ways in which these relations operationalised in particular regions.

In this respect it is important to acknowledge that there are not normal versus pathological forms of capitalist development; rather, there is simply many ‘others’ of capitalism’s existence. The Marxist explanation for this diversity of social paths apparent in capitalism’s different regional articulations is given its classical formulation by Trotsky in his *History of the Russian Revolution*. Grappling with the unique historical trajectory that allowed Russia to precociously engage upon a process of revolutionary change, Trotsky notes that as capitalist social relations extensively and intensively expand on a global scale, they do so in an uneven and combined fashion. Speaking at the most general level Trotsky (2005, p. 28) argues:

The laws of history have nothing in common with a pedantic schematism. Unevenness, the most general law of the historic process, reveals itself most sharply and complexly in the destiny of the backward countries. Under the whip of external necessity their backward culture is compelled to make leaps. From the universal law of unevenness thus derives another law which, for the lack of a better name, we may call the law of *combined development* – by which we mean a drawing together of the different stages of the journey, a combining of the separate steps, an amalgam of archaic with more contemporary forms.

As Trotsky acknowledges, the term ‘*combined development*’ inexactly captures what he is in fact trying to articulate. Trotsky is not suggesting that as capitalism expands into ‘backward’ territories it fuses two modes of production to form a hybrid; rather, he is arguing that as its relations expand they merge in different ways with existing social formations, creating diverse trajectories of *capitalist* development. This process is always a mixture of imposition and subversion negotiated by foreign and indigenous agents responsible for capitalism’s operationalisation in the region concerned. Moreover, as Trotsky’s reference to unevenness indicates, this process cannot be divorced from a broader global context marked by the emergence of certain centres of capital accumulation, whose gravitational force impacts in different ways on peripheral regions of the world economy; there are no scripted outcomes here, only tendencies and potentialities of varying likeliness (see Ashman, 2006). Cleary

then, theorising capitalist relations is only the first step in building stronger understandings of state crime; capitalism's spatio-temporal expansion, and the peculiar way in which its constituting processes become embedded within specific regions, is also in need of careful articulation.

Accordingly there is potential for criminology to engage with Marxist theorists attempting to make sense of capitalist class relations in regional contexts whose texture contrasts noticeably with Western archetypes. For instance, while the world is experiencing a significant growth in urban population, predictions of the peasantry's extinction have proven overly presumptuous (Bernstein, 2000). In many countries, peasant communities remain a distinguishing feature of the national political-economy. Accordingly, making sense of the peasantry, and the social relations that mediate its material existence is something state crime studies must negotiate if it is to understand the criminogenic fault-lines lying at the centre of contemporary rural conflict. And in this respect, quite distinct theoretical innovations are being made within Marxism in order to better comprehend how peasant communities transform in character as they become gradually immersed within the orbit of capitalist productive relations (see Bernstein, 2010; Brass, 2011; Gibbon and Neocosmos, 1985; Mamdani, 1987); all of which becomes vital for understanding criminogenic practices such as land grabbing, resource dispossession and civil war (Bush et al, 2011; Cramer, 2006; Harvey, 2003). Indeed, engaging with these theoretical debates, and merging them with the specific concerns of state crime studies, offers a path for operationalising Trotsky's important insights in a contemporary context.

However, to complicate matters further, it is critical that social relations are distinguished from social forms when theorising criminogenic conjunctures. Relations are those distinctive historic bonds that form between socially differentiated human beings; generally speaking they can function through a range of cultural, legal and political forms. For example, Banaji (2010) argues that the accumulation of capital, and the relations it presupposes, should not be conflated with the exploitation of 'free' wage-labour. The latter is simply one practical form – albeit a predominate one – in which surplus is extracted from the immediate producer by capital. Banaji (2010, p. 41) explains:

Relations of production are simply not reducible to forms of exploitation, *both* because modes of production embrace a wider range of relationships than those in their immediate process of production *and* because the deployment of labour, the organisation and control of the labour-process, 'correlates' with historical relations of production in complex ways.

Banaji's own work is a convincing testament to this argument. For instance, through detailed historical scholarship Banaji demonstrates how capitalist relations of production can function through a range of exploitative forms, including 'free' labour, bonded-labour (slavery, indentured labour, debt-peonage), and sharecropping. He thus concludes: "The *deployment of labour is correlated with modes of production in complex ways*. Not only are modes of production *not* reducible to forms of exploitation, but the *historical* forms of exploitation of labour (relations of production in the conventional sense) lie at a completely different level of abstraction from the numerous and specific ways in which labour is or can be deployed" (Banaji, 2010, pp. 5-6).

The methodological point made here by Banaji can be usefully extended in new directions relevant to state crime studies. Specifically, it has been argued in this paper that the capitalist state is a historical expression of productive processes that emerge during an advanced stage

of social production, organised around capital accumulation. The particular political form capitalist states assume should not, however, be confused with the productive relations they are an expression of. There is no reason to think, for example, that the governmental processes pointed to above – constituted by practices and techniques associated with the management of diverse, integrated productive units – can only be administered through a single form of state, for example, liberal democracy; capitalist relations have proven flexible enough to function through many different political arrangements ranging from military-juntas to patrimonial regimes. Accordingly, we must inquire into, and analyse, why the operationalisation of capitalist relations in specific regions take place through certain configurations of exploitative, socio-legal and political forms, considering in particular how these forms shape the way in which these relations develop, and subsequently effect the refracted appearance assumed by the contradictions and antagonisms latent in them.

Clearly a Marxist science of state crime is no easy thing. We cannot simply extract from Marx's work structural antagonisms and then hold them up as the cause of state crime, while empirical detail and variation as mere epiphenomena. As Engels once wrote to Conrad Schmidt:

The materialist conception of history has a lot of dangerous friends nowadays, who use it as an excuse for *not* studying history ... In general, the word 'materialist' serves many of the younger writers in Germany as a mere phrase with which anything and everything is labelled without further study, that is, they stick on this label and they consider the question disposed of. But our conception of history is above all a guide to study, not a lever for construction after the Hegelian manner. All history must be studied afresh, the conditions of existence of the different formations of society must be examined in detail before the attempt is made to deduce from them the political, civil-law, aesthetic, philosophic, religious, etc., views corresponding to them ... We need a great deal of help in this field, for it is immensely big, and anyone who will work seriously can achieve much and distinguish himself. But instead of this too many of the younger Germans simply make use of the phrase historical materialism (and *everything* can be turned into a phrase) only in order to get their own relatively scanty historical knowledge – for economic history is still in its swaddling clothes! – constructed into a new system as quickly as possible, and they then fancy that they have achieved something tremendous. (Marx and Engels, 1982, pp. 393-94).

Put simply, the appropriation of Marxism is not a substitute for painstaking empirical and theoretical scholarship, to the contrary its framework is a precondition for teasing out in richer detail the social processes that inform historical motion. Accordingly, if Marxism is to have a significant impact on state crime studies, it must be coupled with a research programme capable of addressing a number of complexities. First, we must acknowledge and address certain gaps in our understanding of the productive relations constitutive of capitalism; specifically, the more concrete intersection of determinations that form part of the governing structure that emerges in a system of advanced social production subordinated to capital accumulation. Second, this theoretical inquiry must be matched to historical analyses that apply core concepts in order to understand the specific ways in which capitalist productive relations operationalise within particular regions, the peculiar tendencies, contradictions, and conflicts this process inspires, and the configuration of social, legal and political forms that mediate the character and intensity of class struggles which emerge out of different distinct paths of subsumption within capitalism. Third, within this totality of forces, we must differentiate and scrutinise particular dimensions that help illuminate the forms of state criminality and resistance under examination. Although this is a difficult and demanding path, it offers a passage through which we can cultivate dramatically enriched understandings of state crime, that have the potential to challenge and transcend the deceptive appearances which are commonly dissected and schematised in abstract causal models.

To demonstrate this point, we will now turn to the example of the Bougainville conflict, a civil war that ensnared the South Pacific nation of Papua New Guinea for most of the 1990s. It will be argued that the apparent fault-lines of this conflict, and the state-corporate crimes it engendered, have the potential to mystify understanding unless we peel back the fetishised organisational forms which dominated the social terrain during this period, and inquire into the deeper set of relationships that informed class interests and actions.

4. Doing State Crime Studies Differently: The Case of Papua New Guinea

The island of Bougainville lies in Papua New Guinea's (PNG) eastern border region. Like the rest of PNG, Bougainville's predominantly rural population organise through complex kinship networks that constitute a vital feature of the island's economic, political and cultural life. In 1972 social conditions on Bougainville changed dramatically when Rio Tinto subsidiary, Bougainville Copper Limited (BCL), began operating a large open-cut copper and gold mine. The mine proved a vital source of revenue for the PNG state following independence from Australia in 1975. By the end of the 1980s PNG's reliance on mineral revenues continued after a sluggish decade notably lacking in formal economic growth (Namaliu, 1995). Therefore, when traditional landowners on Bougainville employed industrial sabotage to close the mine in 1988 – owing to its deleterious environmental and social effects – a national crisis was provoked.

Following significant pressure from Rio Tinto – including a paralysing threat to withdraw all investment from PNG – the national government deployed police paramilitary units, and then the PNG Defence Force (PNGDF), to quell the nascent rebellion (Lasslett, 2010). In response, landowners organised an armed resistance force, the Bougainville Revolutionary Army (BRA). The BRA viewed secession as the only solution to the political impasse. With the crisis growing in scale, the mine's fate became increasingly precarious during 1989. In a bid to secure its investment, and the legal arrangements underpinning it, BCL lent government security forces significant logistic assistance, including the use of company trucks, fuel, accommodation, messing facilities, administrative services, communications equipment, hospital care and storage units (Lasslett, 2010 and 2012b).

PNG's former colonial ruler also entered the political standoff. The Australian government believed that a significant show of force could chasten rebel leaders and bring them to the negotiating table. Accordingly, considerable pressure was placed on the PNG state to ratchet up the military effort on Bougainville, and to that end Australia contributed a significant package of defence-aid which included arms, training and equipment. Also, Australian Defence Force officers stationed at the Australian High Commission in PNG, and in line positions within the PNGDF, covertly worked with their local counterparts to mount a counterinsurgency campaign, all of which was publicly denied (see Lasslett, 2012a).

Employing the expansive package of logistic and military support supplied by BCL and Australia respectively, the PNGDF embarked upon a series of increasingly more brutal counterinsurgency operations designed to clear the mine area of its civilian population, and hem the BRA in (see Lasslett, 2010 and Forthcoming). These operations involved the bombing, burning and mortaring of villages –including the use of white phosphorous mortar rounds; the torture, execution and public display of suspected rebel supporters; the internment of displaced villagers in detention camps where extra-judicial killings and assaults were

commonplace; and the strategic use of an island wide military blockade that intentionally denied civilians access to humanitarian aid. As a result, in the first two years of the conflict alone hundreds died during PNGDF offensives, while thousands more succumbed needlessly owing to the blockade. BCL, and the Australian government, bore witness to many of these atrocities, but continued to support the military effort. Indeed, according to the testimony of senior PNG government figures, the military blockade was encouraged by BCL's Chairman (Lasslett, 2010).

At first glance, the state-corporate crimes that punctuated the conflict's formative years appear to have been a response designed to suppress escalating landowner protests over the mine's socio-environmental effects. For BCL it was a matter of keeping the mine open and secure, the PNG on the other hand state had to tread a more complex line balancing investor confidence, domestic legitimacy and fiscal dependency on mine revenues. Australia entered seemingly in a neo-colonial capacity, using its considerable financial sway over PNG (courtesy of a large aid programme), to jettison a military assault in service of an economic asset owned by an Australian based mining multinational.

Clearly there is something of a fetishised hue to this initial take; that is, a series of organisations are pushed to the fore, and attributed a range of capacities and interests. The challenge, however, is to move beyond appearances and conceptually unpick the evolving complex of productive relationships, which these organisations are expressions of, and vehicles for. To complicate matters further, the social forms in PNG through which capitalist relations operate, depart significantly from Western archetypes. For example, rural production is organised around clan based property systems, while the PNG state has prominent patrimonial/clientalistic dimensions. As a result, some regional specialists have dismissed the applicability of Marx's theory in *Capital* to PNG. Connell (1997, p. 249), for example, argues: "The separation of the producers from the means of production, in this case land, is essential to the emergence of capitalist social relations. Consequently most societies [in PNG] demonstrate the characteristics of an incipient peasant economy rather than a capitalist system". This argument, however, overlooks the fact that capitalism already existed on a world-scale prior to PNG's gradual subsumption within its dynamics. Indeed, the late arrival of capitalism generates the possibility that PNG may well assume a very different path of development to that of Western Europe – complete with enduring peasant communities – as Marx himself observed, "the 'historical inevitability' of ... [of the producer's separation from the means of production] is expressly limited to the *countries of Western Europe*" (Marx and Engels, 1982, pp. 319-20).

Nonetheless, Connell (1997, p. 258) continues his critique, the next target being class analysis: "The notion that there has been any real process of class formation [in PNG] is implausible. Kinship – and wider relations of ethnicity – are much more crucial ... group membership, for emerging entrepreneurs, politicians and the great bulk of men and women, remains of enormous importance, where land is crucial, and that is everywhere" (see also May, 2004; Turner, 1990). This argument conflates two different levels of abstraction – that is, class is a complex articulation of how relations of production structure exploitation, the distribution of wealth and social interest. Accordingly, class formation can take place through diverse social arrangements, even extended kinship systems. The very process that needs explanation – i.e. how emerging class relations are organised through kinship systems and ethnic groups – are placed into opposition by Connell, and thus cancelled out (with class being discarded), leading to an unnecessarily impoverished analysis. The challenge is not to

analytically collapse reality's multiple dimensions, so only those forms distinguishable from the vantage point of immediate observation are given credence, rather it is to understand why these palpable social arrangements endure as complex new structures emerge, and the impact they have on the form social rupture takes.

In this respect, perhaps the first critical determination worthy of note is PNG's peculiar colonial experience. Following brief periods of administration by Britain and Germany, it was a former settler-colony, Australia, which assumed control over PNG for a large part of the twentieth century (1906-1975). Facing its own economic challenges, few resources were earmarked for PNG's administration, nor was there a significant body of accumulated Australian capital in need of a new spatio-temporal fix in the colonies (Denoon, 1985). Instead, a light smattering of coastal settler-plantations emerged, which were accompanied by enclave mining ventures. Also, it should be added that indigenous smallholders were given little encouragement to participate in the nascent formal economy, instead they traded on the peripheries and embarked upon gruelling plantation labour through the indenture system (Griffin et al, 1979). As a result, during the first distinct period of Australian colonialism (1906-1945), no significant foreign or national bourgeois emerged with the capacity and interest to spearhead the forced displacement of rural populations, the construction of new property regimes, or the development of an urban manufacturing sector; instead custom, tribe, and subsistence agriculture, intermixed with a skeletal colonial regime focused on 'pacification', basic rule of law, and an elementary governance structure.

Following WWII, Australia significantly increased its stipend to PNG, attached to which was a more vigorous development policy geared towards creating the economic and political structures that could underpin an orderly and gradual transition to independence, for a country lying at the centre of Australia's primary area of strategic interest (i.e. its immediate region) (Hawksley, 2006). To that end, efforts were made to preserve and build upon clan-based village communities. In particular, smallholder agriculture was encouraged, directed towards a number of cash-crops including, cocoa, copra and coffee (MacWilliam, 2005). On Bougainville this prompted a noticeable shift in rural productive practices, as households increasingly devoted labour-time to production for exchange. Oliver (1991, pp. 162-63) observes, in "1963-4 production by 'indigenes' (i.e. Bougainvillian smallholders) totalled 174 tonnes of dry-bean cacao and 1935 tonnes of copra", however, by 1979-80 this had jumped to 10,151 and 15,043 tonnes respectively (Oliver, 1991, pp. 162-63).

Ethnographies from the 1960s and 1970s reveal that households with larger smallholdings were beginning to diversify profits into business, while others who lacked access to the necessary resources for the household's reproduction (land, labour, capital), turned to temporal bouts of wage-labour (Lasslett, Forthcoming). Most significantly a nascent bourgeoisie was emerging, grounded in a diverse range of accumulating practices. For example, as early as 1952 one man from Buin in Bougainville's south had "three trucks, three trade stores, two bakeries and large rice gardens annually producing around two tons of excellent rice ... the rice was machine hulled by his own huller; others could hire this for a rent of 25 per cent of their own crop" (Connell, 1978, p. 200). It would seem that once we distinguish relations from specific labour regimes and property forms, capital can indeed accumulate through a socio-cultural framework marked by clan property and complex kinship obligations. As this socio-cultural framework mediates the household's access to vital resources (i.e. land), its importance does not diminish during this gradual, uneven subsumption within the capitalist mode of production, to the contrary, in some respects it

becomes more important as new competitive struggles emerge over land, labour and natural resources (minerals, gas, oil, timber, etc.).

On Bougainville, the discovery of a significant mineral deposit in the early 1960s, and the subsequent opening of Rio Tinto's open-cut mine in 1972, accelerated the process of rural change. For example, compensation payments made to landowners constituted a relatively important new source of seed-capital for small-holders and local businessman (Applied Geology Associates, 1989). Accordingly, tensions emerged over how custom would be applied to determine the distribution of payments. In this respect, male-elders, some of whom had already made a significant start in business, assumed the role of compensation gatekeepers (despite Bougainville's clans being largely matrilineal in character) (Applied Geology Associates, 1989, Appendix II). The mine also sparked new investment opportunities, through the provision of support services. As a result, significant local companies emerged, the most notable of which was the Bougainville Development Corporation (BDC). Wesley-Smith (1990, p. 16) notes the BDC became, "a multi-million dollar enterprise, with interests in engineering, catering, airline operations, and limestone mining. Its principals ... [became] prominent members of Papua New Guinea's emerging bourgeoisie".

Accompanying these new social practices centred upon the accumulation of capital, were a range of antagonistic forces. Two, in particular, stand out. First, there was the emergence of resistance identities within remote mountain communities, which had largely bypassed the forms of social change being experienced elsewhere on the island. Indeed, as natural resources became subsumed within capital's valorising cycles, and customary relations built upon the principles of balance, reciprocity and mutual support were reinvented to mediate social differentiation and the competitive pursuit of profit, a political movement in the Kongara region, south-east of the mine, condemned and opposed these changes. *Me'ekamui Pontoku Onoring, Daita Karakeni*,² as it became known, was headed by Damien Dameng, a charismatic and articulate customary leader (Tanis, 2005). According to Regan (2002):

Dameng and his supporters believed that customary social structures and ways were being undermined by the outside world ... [His] opposition to the damaging impacts of the outside world also extended to the Panguna mine. He believed it destroyed land (the basis for social relations), introduced cash payment for use of land (thereby undermining Bougainvilleans' relatively egalitarian customary social organization), and brought in large numbers of outsiders.

The thrust of this message chimed with another social movement – spearheaded by mostly young landowners in the mine area – which was emerging during the 1980s. Coming of age in a period marked by a rapid increase in population levels and changing land-use practices, young landowners in the mine area faced for the first time the prospect of land shortages, which was coupled to limited employment and business opportunities, owing to the temporal advantages that had accrued to the previous generation (Regan, 2006, pp. 7-8) – class and age, thus closely overlapped.

² "In Nasioi one meaning would be the parliament of clans in Kieta District to protect our autonomy over our land and culture that we have possessed from time immemorial to enhance wholeness, unity, peace and holiness in the society" (Tanis, 2005, pp. 450-51).

Their grievances found an articulate voice in two youth leaders from Guava village, Perpetua Serero and her cousin Francis Ona. They condemned those “self centred traditional landlords” who helped build the mine economy which had rapidly emerged around them.³ They also argued for a more egalitarian PNG, “we [the silent majority] are the ‘sacrificial lamb’ for the few capitalists whose hunger for wealth is quenchless and unceasing ... Political independence means nothing to us because we have not experienced any real development in terms of equal distribution of society’s resources and equal distribution of government services”.⁴ In a bid to champion critical changes to the emerging social equation on Bougainville, Ona and Serero challenged the Executive of the Panguna Landowners Association (PLA) to a popular vote in August 1987 – they subsequently won the election, deposing a number of prominent local businessmen (Wiley, 1992). The PLA was an important umbrella body that represented landowning communities in negotiations with BCL and the PNG government – it primarily acted as a vehicle for increasing rates of compensation and other associated benefits. Ona and Serero, however, saw the PLA as an incubator for something more radical. They found a strong ally in Damien Dameng, who joined them in a series of protests that culminated in a demand for the mine’s closure and K10 billion in compensation during April 1988 (about US\$12 billion).⁵ The deposed Executive was dismayed by the actions of the PLA’s new leadership, and implored BCL to ignore the 1987 election.⁶ Following heated exchanges between new and old Executive factions, the PLA embarked upon a campaign of industrial sabotage in November 1988, in a bid to close the mine, after peaceful protest failed to elicit any significant victories. This act marked the beginning of the Bougainville conflict, it was met with police suppression.

If we can now return to our point of departure, it is apparent that its first element – the state-corporate crime event was precipitated by landowner discontent – is upon deeper reflection problematic. The category ‘landowner’ is abstract, and even misleading, if we leave out the critical changes to the relations of production sparked by colonial rule, the sudden injection of mining capital, and most critically the strategic way rural communities reacted to encroaching market forces. Indeed, without further enrichment the phrase ‘landowner’ obscures the quite significant social cleavages that were being opened up by capital’s uneven circulation through Bougainville’s clan-communities, and the critical role customary forms played in mediating emerging social antagonisms.

Equally, the same analytical point might be made with respect to the PNG state’s militarised reaction to the PLA’s campaign of industrial sabotage. At first glance it would seem that the national government was spurred into action by the significant impact which the mine’s closure would have on internal revenue – at the time, the mine provided “24 per cent of total government revenue” (Namaliu, 1995, p. 61). However, were we to leave matters there, it would be a misleading appraisal of events. Although the PNG state was indeed dependent on mine revenues, the state itself is an institutional expression of certain relations between people, and it is in this context of relations between people that the revenue’s impact can be best understood.

³ Correspondence from the Panguna Landowners Association to BCL, 23 October 1987.

⁴ Francis Ona, Speech, 29 November 1989.

⁵ Correspondence from the Panguna Landowners Association to BCL, 5 April 1988.

⁶ Correspondence from OPLA to BCL, 7 October 1987.

To that end, it is worth noting that the first major steps towards engendering a set of institutional practices capable of managing a national economy were taken by the colonial administration during the 1950s and 1960s, in collaboration with an emerging strata of national politicians and civil servants (Connell, 1997). Indeed, over the course of twenty years, the institutions, practices and policy frameworks were gradually developed, for stimulating and steering the pace and character of wealth circulation at a provincial, national and international level; regulating the built, legal and human environments through which capital accumulates; and managing what Foucault (2008, p. 317) refers to as the biopolitics of the population – i.e. its various social habits (“health, hygiene, birthrate, life expectancy, race”). This process, of course, cannot be disconnected from other simultaneous colonial reforms designed to stimulate and grow a formal capitalist economy. Indeed, without a government capable of managing the national population to some degree, the absorption of PNG within a global capitalist system would have been a near impossible experience.

Yet government in PNG was always going to be conditioned in significant ways by the country’s peculiar path of subsumption within capitalism. To that end, two factors in particular, are worth noting. First, politics in PNG has been critically influenced by the country’s particular experience of rural change. We have already observed, through the example of Bougainville, how rural households in the 1960s and 1970s became increasingly dependent on markets. The growing orientation of peasant households towards production for exchange sparked on one hand a nascent rural bourgeoisie, and on the other, families engaged in temporal bouts of wage-labour to meet expanding household needs. While this process of social differentiation creates the potential for fragmentation and conflict at the village level, it also paves the way for the emergence of ethnic social-blocs organised around a shared desire to ‘develop’ through better access to roads, transport, communications, markets, and government services (education/health/agricultural assistance). Electoral politics provides one key lever through which these blocs can be consolidated. To that end, with local assistance prospective MPs cultivate a tribal support base with promises of channelling government resources and services into their area, if elected (Rynkiewich, 2000). It is remarked in the literature that this mode of patrimonial politics has generated a fragmented national polity, where political parties act as vehicles through which MPs obtain access to state resources, rather than coherent mechanisms for developing a truly national programme of government (Ghai, 1997; Regan, 1997; Turner, 1990). However, arguably other social processes are at play here, rooted less in the rural peasant economy and more in urban bourgeoisie accumulation strategies, which better explain the fractured nature of PNG politics.

As the recipients of moribund infrastructure and largely enclave industries dominated by foreign capital, significant sections of PNG’s urban bourgeoisie – many of whom straddle the ‘public’ and ‘private’ sector – have looked to different forms of corruption as a means to rapidly accumulate wealth; money which is then pumped into speculation, conspicuous consumption, and political careers.⁷ To that end, small, tightly knit cabals made up of senior politicians, civil servants and businessmen, have employed a range of different illicit practices, including procurement fraud, land grabs, misappropriation from the public purse, and legal swindles, to acquire significant sums of money/resources before either disbanding, or embarking upon new ventures. Ethnic ties are often a powerful adhesive for these cabals –

⁷ The following observations are based off extensive documentary research, and interviews with PNG anti-corruption agencies that took place between 2010-2012.

known locally as *wantokism*⁸ – equally, customary notions of mutual support have proven suitably elastic to include more diffuse relationships such as school-friends or work colleagues. These roaming cabals, as compared to rural patrimonial networks, are arguably a more compelling explanation of PNG's fractured polity; that is, they commandeer – rather than rural communities and their patrons – the institutional levers of government, in a largely inchoate fashion to create opportunity structures for various predatorial accumulation strategies. This is empirically evidenced by the gradual deterioration in rural service provision and infrastructure (a sign of the weak influence rural communities have on state resource application), which has accompanied increasingly more lucrative and audacious forms of corruption organised by the urban bourgeoisie (Cammack, 2009).

Accordingly, when we talk about the state being dependent on the revenues generated by mining, the social character of dependency must be concretised. To that end, one can observe develop in PNG during the late 1980s, an increasingly belligerent national bourgeoisie, which took a dim view of rural communities using their traditional rights to disrupt resource projects of 'national importance' – yet the nation saw little benefit from the revenues generated, instead they were increasingly steered into the pockets of ruling cabals. Accordingly, it is a particularly narrow section of PNG that is dependent on government revenues. In reality the vast majority of Papua New Guineans, are largely unaffected by the state and its resource base. Therefore, the state's militarised response to the landowner crisis on Bougainville was not done in the name of rural peasant households – 85% of the country – rather, it was largely a response engineered in the interests of a narrow, mainly urban national elite influenced by outwardly parasitic forms of capital, which depend upon a moderately predictable and stable national investment environment which can lure foreign capital, particularly into the resource industry (from which government revenues are garnered). Upon reflection then, the phrase 'mineral revenue dependency of the state', to a degree fetishises the state apparatus and obscures – behind the state's organisation form – the precise social interests which function through the state, and the path of capitalist development that has prompted this configuration of interests.

Now, if we turn to the criminogenic response of BCL we face a similar problem – attributing motivations and interest to BCL as a corporate body obscures the relations and accumulatory processes the company is an expression of; specifically mining capital. Of particular importance in this respect, is mining capital's value composition. Generally speaking, large-scale mining developments demand a significant outlay of constant capital⁹ in the form of infrastructure, buildings, and machinery. This outlay is then productively absorbed over a period of decades by capital's variable¹⁰ element (labour). Intersecting with this process are two important dynamics. First, individual units of productive capital face intense competitive pressure to realise greater than average rates of profit, by applying their constant and variable components more effectively than rivals. Second, units of productive capital also face distributive pressure from a range of social actors, including landowners and government.

⁸ Derived from the pidgin English word wan tok (one talk), wantokism refers to systems of personal allegiances built around a common ethnic or familial identity.

⁹ So named by Marx as its value does not change during the production process, it is simply transferred by labour to a new commodity.

¹⁰ Marx labelled the component of capital spent on labour-power variable, as labour has the specific ability to expand the value invested.

Accordingly, when BCL invested in Bougainville – an investment that would be realised over several decades – company management was eager to construct an enduring legal framework that could regulate external claims on mine revenues, while also cultivating a stable political environment in which BCL’s tenure was assured over a prolonged period (King, 1978). This required a relatively generous posture when it came to negotiating, and renegotiating benefit agreements, but a more rigid frame when their sanctity was placed under threat. Accordingly, BCL has always proven willing to discuss ‘fair’ arrangements with formal (state) and informal (landowners) power-brokers – i.e. in a bid to secure their loyalty to agreements – while at the same time being acutely sensitive to those forces that might scupper legal agreements once in place.

Perhaps not surprisingly then the accession of Perpetua Serero and Francis Ona to power was looked upon with concern by BCL’s management. When it became apparent that the new PLA leadership was prepared to use extra-legal tactics to radically change the mine’s operating conditions,¹¹ BCL proved willing to take quite significant steps to protect the sanctity of their legal agreements, and thus tenure. Indeed, with more efficient operators in Chile undermining BCL’s competitive position, company management looked to the state’s security apparatus as a lever through which to remove the PLA executive and restore the hegemony of an old-guard with greater “commercial acumen” (Lasslett, Forthcoming).¹² The urgency and character of the company’s response would, however, seem distinctly at odds with its past relatively benign corporate posture. In the absence of an understanding of mining capital’s value composition, and the investment strategies it engenders, this seemingly contradictory move would appear a more direct product of a change in senior management which occurred during 1986-87. On deeper reflection, however, benevolence and hostility were manifestations of a common social substance acutely related to the valorising cycle of mining capital.

To finish, it is worthwhile examining the Australian government’s role in the conflict. Not only did it provide vital military support needed to prosecute the war, Australia was also a strong supporter of the counterinsurgency approach (Lasslett, 2012a). However, this belligerent position was not taken in defence of Australian capital (BCL’s immediate parent was Conzinc Rio Tinto of Australia Ltd); rather, it was connected to a more endemic crisis in Australian capitalism. Indeed, by the 1980s Australia was facing a much changed international environment where the reified political-economic arrangements of previous decades were increasingly viewed as a problem in need of a neoliberal antidote that is if Australian capitalism was to adapt to a new global context (Beeson and Hadiz, 1998; Conley, 2001). This led the federal government to adopt an activist international agenda directed towards establishing free-trade agreements in key sectors and regions critical to a raft of domestic reforms. US support was vital to this process. To garner American patronage, Australian foreign policy makers were aware that they needed to make a significant contribution to the liberal international order, which the US had pioneered in the post-war period. To that end, the Australian government saw its immediate region as a place where greatest effect could be had. Accordingly, in 1988 the Foreign Minister, Gareth Evans (1989, p. 45), indicated to allies that Australia would use its disproportionate military, diplomatic and

¹¹ The PLA gave BCL five years to wind up their operation and pay compensation for the mine’s socio-environmental effects.

¹² Geoffrey Ewing [BCL Secretary], “Proof of Evidence”, *Bougainville Copper Limited v. Metals and Minerals Insurance Pte Limited, GRE Pacific Insurance Pty. Ltd., Taisho Marine & Fire Insurance Co. Ltd. and American Home Assurance Company*, Supreme Court of Victoria, No.CL220, 1989.

economic capacity, to ensure that change in its immediate vicinity “takes place by peaceful means and within a framework of essentially, democratic political systems”; direct military intervention was signalled as a potential option were a crisis to emerge.

In this particular context it was believed by senior Australian government officials, the success of a rebellion spearheaded by what appeared to be a few poorly armed radicals and independence fighters, would seriously dent Australia’s credibility barely six months after the government had pledged to keep regional order (see Lasslett, 2012a). This, in turn, would have unwelcomed flow-on effects on Australia’s ambitious international agenda especially were they to lose favour with the US. Accordingly, the intrinsic importance of the Bougainville mine to Australia’s economy was minor compared to the more expansive interests regional instability impinged upon. For these weighty reasons the Australian government funded, armed and helped prosecute a brutal campaign of state violence directed against civilians on Bougainville. Even wide-spread reports of serious human rights abuses – verified by Australia’s own PNG-based staff – were not enough to dissuade the government from this course of action. Yet in the absence of an attempt to theorise the complex forces shaping Australia during this critical period of neoliberal reform, the state’s response to the BRA could easily be given a realist (security focused) or instrumentalist (capital focused) meaning, that diminishes the real complexity standing behind the Australian government’s criminogenic role in the Bougainville war.

5. Conclusion

Despite its irregular path of entry into capitalism, Marxism remains a vital framework for looking beyond the palpable organisational forms at the centre of state crime in PNG. Tapping the rich social veins that inspired the Bougainville conflict and those crimes associated with it, is not merely an ‘academic’ task, it has real significance today for those addressing questions of impunity and political change on the island. Indeed, truth, reparation, and justice are words that have gradually disappeared from the official political lexicon on Bougainville, as the Autonomous Bougainville Government (ABG)¹³ – led by a President who was a senior Minister in the PNG government during 1988-1992 – attempts to smooth the ground for BCL’s return. Although the company still denies that it willingly supported the government’s security forces,¹⁴ and to that end has challenged attempts by Bougainvilleans to seek legal redress, the ABG is promoting BCL and its mine as the necessary means for rebuilding the island and financing possible independence. To that end, deploying considerable supporting from Australia’s aid agency, AusAID, representative bodies for landowners and ex-combatants have been established, and a new mining framework developed, with a view to paving the way for BCL’s return to the island by the end of 2013.

At a recent consultation forum, an ABG Minister absurdly warned communities that a failure to reopen the mine could lead to military reoccupation by the PNGDF, the forced marriage of single women to outsiders, and the loss of autonomy/independence (Laukai, 2013). Countering these pressure tactics, are revelations that the current leader of the mine landowner representative body took payments from a Rio Tinto lobbyist (Price, 2013), it has

¹³ The ABG is charged with responsibility for Bougainville under autonomy arrangements with the PNG government.

¹⁴ Surprisingly these denials continue despite complicity being acknowledged by executives who were at BCL during 1988-90.

also been found that the ABG's AusAID mining adviser is in receipt of research funding from Rio Tinto, BCL's parent company (Lasslett, 2013). Despite these conflicts of interest, and BCL's enduring impunity, the mine's reopening continues apace. Understanding the machinations behind such provocative moves and how to address them practically on the ground, is impossible without a theory of the conflict, and the state-corporate crimes that intensively and extensively expanded its fault-lines. Indeed, only by understanding how capitalist relations are operationalised within the socio-cultural fabric distinct to Bougainville, and the combustible dynamics this configuration of forces provokes, can sense be made of existing tensions and their concrete potential for renewed hostilities on the island.

And it is in these types of contested situations that state crime scholarship can distinguish itself as an invaluable resource which aids movements striving to pinpoint and transform the social arrangements that produce, and reproduce state/state-corporate criminality. Abstract schemas offer little to such movements, what they demand, and what we must provide, are more concrete understandings of the sinuous core of productive relations that stand behind state crime events, the specific way in which these relations become operationalised within particular regions, the social arrangements through which these relations function, and the contradictions and antagonisms this social configuration as a totality elicits. This requires a commitment to empirically grounded scholarship, where researchers are immersed within the contemporary and historical contexts they are theorising, and act in close consultation with those communities resisting state criminality. Such a scholarly commitment to regions and struggles of resistance offers a compelling path for building a field directly relevant to those vibrant and epoch defining movements that have brought state crime so vigorously to the fore over the past five years.

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