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CONCLUSION: 'THERE'S ONE LAW FOR THE RICH AND ANOTHER FOR THE POOR'

Because of barriers to the flow and accumulation of capital found in early modern England, such as lack of money, labour, technology, organisation and market demand, the period is more readily associated with violent or primitive capital accumulation. This primitive accumulation formed the beginnings of subsequent capital accumulation to the present. A little later, money and capital begin to circulate directly and systematically through production, markets and trade, supplemented by usuary as well as by extra-legal means.

We saw how in part the emergence of capitalist markets was associated with increased opacity and opportunities for concealment or dishonesty, and potentially, criminal opportunity as well as enrichment. A time when merchant capitalists were at the pinnacle of markets in commerce and trade amongst growing inequality rather than competition. The 'superiority of force' and conquest was far more important than competition in gaining advantage, particularly in respect of foreign competition. Markets were overlaid by the modern state from early on seen in an uneasy fusion of state and capital. The rule of law itself was primarily administered through the use and language of violence, often to protect property. Although rich violence, which was arguably more common than violence among the poor, was only rarely punished.

There are several ways we can see the relevance of this primitive period of capital accumulation – supposedly supplanted long ago – to the present, in the sense that the money and capital invested today comes from the profits procured yesterday, rendering redundant the violent accumulation practised in earlier times (Harvey, 2011). We shall return to this shortly after next summarising the nature of primitive accumulation.

Primitive accumulation involved organised and violent land ‘grabs’, amounting to the ‘theft’ or cancellation of common rights and uses, seen in the waves of land enclosure and clearances, retrospectively legalized by Parliament, at first in England then Scotland and Ireland. These land seizures began the long-term emergence and consolidation of the English ruling classes up to today. Creating then criminalising the vagabond, vagrant and surplus populations generally, these dispossessions at home were later accompanied by colonial seizures of land and people abroad (Harvey, 2003). Over the whole period from early modern England to the late eighteenth and into the nineteenth century this ridding of open field villages and common rights was a major contribution to the crisis of British poverty.

We saw in the book how English monarchs used criminals to fight their wars. Later, the Elizabethan state used English merchants, pirates and lawless privateers, who were often the same persons, to bolster English networks of trade and power. Indeed, this formed the basis of the East India Company, the first ‘rogue company’ exemplifying the criminal, deceitful and cruel origins and legacy of British colonial and merchant capitalism. It is probably fair to say overall, that English war making, and state making were forms of organised crime.

As time went on, at nearly every level in British society, private property rights came to govern social and economic relations and practices, defining who could be rulers and who were ruled. Above all, the law created a class-based arena, where alternative notions of law were fought out. The law became an instrument and ideology serving the interests of the English ruling class, while the rulers themselves adhered to law as a means of conferring legitimacy and authority to their rule. While propertied men enjoyed and benefited from land, trade and commerce, protected in law, the unpropertied labouring poor, met the law as criminal sanction: the threat or reality of whipping, transportation and hanging. Criminal law and its preoccupation with theft rather than violence overwhelmingly applied to the labouring poor. By the eighteenth-century governance was to have no other end but the preservation of property and those on the right side of the great gulf between rich and poor were to be vindicated by the ‘sacredness’ and ‘the exclusive right of property’ as the measure of all things.

Returning to the relevance of this early period of primitive accumulation for today, it can be seen how the 'new enclosures' that privatise public land, housing, utilities, transport and strategic industry continue to be forms of accumulation by dispossession. One of the most egregious examples of Britain having become a 'rentier economy', is a huge housing crisis of availability and affordability, resulting from an asset transfer of land and housing from the state to the prosperous and rich, and the forcing of the poor and not so poor into more expensive private rental accommodation. These modern forms of dispossession – whether through private renting, the sub-prime mortgage market or the privatisation of what were once considered common property resources (like rail, water and education) – are turned into further rounds of accumulation by dispossession as speculators buy up the assets cheaply today with an eye to selling them at a profit when the market improves (Harvey, 2011).

Telling the story of the past, from the fifteenth to the nineteenth century, among the rich, crime went unpunished and was considered a short-cut to greater wealth. Among the poor, criminal activity supplemented or was combined with legitimate occupations, sometimes thought an easier way to make money than other activities. The risks were worth taking and may have added to the pleasure. Often, though crime was rather an attempt to stave off starvation.

Britain can be likened to an 'aristocratic rentier capitalism' wherein the country has never been a fully industrial nation, despite the industrial revolution. The key dynamic seen throughout *Rich Crime, Poor Crime* is the generation of huge returns for the wealthy, whilst the vast majority owned nothing. An underlying reason was the financial revolution and Britain's financial and international trading system shaped by the needs of the state during the 'long' eighteenth century. And yet the transition, during the nineteenth century, to a system more directly responsive to the needs of the wider domestic manufacturing economy and its labouring poor population was relatively short lived compared to London's international financial and trading position and ambition which met with remarkable success.

The approach of *Rich Crime, Poor Crime* has drawn insight and inspiration from disciplines that aren't *so* invested in the shorter-term conceptualisation of *modern* society and its novelties. Rather, the approach has been an applied empirical and theoretical openness to global political economy, global inequality and *history*, including the importance of slavery, empire and settler colonialism in the development of British capitalism. Rather than a focus on dynamic change and 'modernity', the emphasis has been on continuity and long-term processes. Following Piketty (2014, 2020, 2022), understanding the long-term tendency towards rising inequality requires not only to focus on poverty and shifting class stratifications, but on a small group of super-rich individuals, and to ask about the source and legitimacy of their money and wealth. That so much of it turned out to be 'unearned' (either inherited or extracted from property and assets as 'rent').

Mostly, 'unearned' wealth grows at a faster rate than income: owners of assets get richer more quickly than the sellers of labour, leading inexorably towards a rentier economy. It follows that the 'new' study of inequality involves the study of financial elites, rentier power, global inequality, and wealth management. Savage (2021) argues that to understand modern wealth and inequality we should recognise that they are cumulative and inherited, forcing us to look backwards in search of their origins, in a long chain of succession between past and present. Modern wealth can no longer be seen as independent of old wealth and the violent, colonial and extractive practices that might have been its original source.

It is not only that modern meritocracy – the classic excuse for gross inequality – is contradicted by the influence of inherited wealth, but that inequality in Britain is rapidly returning to levels last seen around the time of the First World War. Meanwhile in *A Brief History of Equality*, Piketty concedes that concentrations of wealth (if not of income) are remarkably resilient in the face of political efforts to challenge them. Savage (2021) emphasises the importance of 'duration' in appreciating wealth inequality, legacies of our predecessors and the historical injustice of persistent inequality. Similarly, transnational flows of capital and networks of elite power require us to study international inequality and its imperialist legacies. Piketty places colonial forms of extraction at the centre of the long history of capitalism and violent colonialism endured until relatively recently, but its legacies persist. Savage correctly emphasises the predictability of long-term processes, rather than novelty, 'risk', 'uncertainty' and 'crises.' In retrospect, this book has followed these injunctions and emphases in its approach. Sometimes we need to zoom out and see the wood for the trees.

The biggest story of poor Britain to come out is the emergence of the 'new poor' seen in the rise of destitution, and those living in households where there is someone in work. Two thirds of families living in poverty are in work and are the new poor. Most of this group – including the destitute and the working poor who sometimes overlap – are the product of flexible labour markets, zero-hours contracts and precarious employment. Making the future of work increasingly temporary, short-term, and low-paid.

Meanwhile the rich deploy the offshore world as a strategy to maintain and greatly enhance class privilege. This directly opposes national state's abilities to uphold national laws and regulations. Offshore processes are central to the rich's strategy to wage class warfare against most protection by state laws, regulations and trade unions, through goods produced offshore undermining domestic production and wealth hoarded offshore in secrecy jurisdictions.

The clear capture of the British state by corporate interests and wealthy individuals ends with the economic decisions of the rich and powerful – even though *they* created the 2008 financial crisis – expecting everyone further down the income distribution to pay for crisis, while the poorest are told to 'tighten their belts' and have fewest resources and most debt. The bottom then is expected to pay disproportionately for a problem created by those at the top, who in turn eschew any responsibility for that problem by incorrectly blaming the state for their mistakes (by evoking supposed 'profligate state spending'). The book bleakly concludes that the unequal and austere world so created traps the poor at the bottom of the income distribution.

Perhaps most perversely, state welfare and crime policies despite their intentions, increase rather than reduce crime rates. These can be traced in various ways back to seemingly unrelated policy domains, for example, housing policies, or social security, school exclusions or unemployment all adversely impacting on crime rates and social order.

Overall, the book argues that the law codes capital and private property in ways that inherently favours and protects private property and assets whilst is weak or non-existent in protecting the poor or the public commons.

The book began by showing how legal systems accrue protection and privilege to the rich and powerful over time that justify their interests while dispossessing the poor. While criminalizing and harming the poor the rich themselves escape sanction for their wrongdoing. Unlike the modern legal system governing poor, ordinary or street crime, the legal system governing corporate crime has been captured by corporate interests. The consequence of which is there is an absence of legal oversight and penalty in relation to corporate wrongdoing and harm. Given that the law and legal systems evolve to favour the rich and powerful, we need and are obliged to take a more rounded view of crime and wrongdoing. To continue to accept a rigid and pedantic separation of avoidable harm which is legal from crime which is illegal plays into the hands of accepting law as a given based on a moral consensus rather than constructed and contested in favour of asset and property owners as well as rich and powerful corporate and financial interests.

This is particularly the case when it is realised that although some laws such as those against killing and the use of violence seem universally agreed as based on society's moral consensus – in the past as well as the present – other laws may codify the interests of the rich and powerful, in ways that, are bias against the interests and wishes of the poor, the powerless and those without a voice. Perhaps we also need to recognise, on some brute level, that law makers such as the rich and powerful can perhaps empathise more readily with the struggling property or asset holder because they themselves own property.

As the book was ending, the scale and seriousness of the British state's crisis was increasingly revealed in a situation whereby corruption and unacknowledged conflicts of interest were rife, and the state seemed helpless faced by a long-standing and pervasive cost of existence crisis for many. Although the rule of rotten government should not detract from the long view of comparatively deep inequalities and underlying structural problems within Britain, nevertheless it is difficult for this author not to notice that a British prime minister has made the rule of law one of his bad jokes.

The lessons from this historical and contemporary account of rich and poor crime for today are all around us. Perhaps the most vivid example of the main arguments of the book, is what happened following the 2008 financial crisis, when government policy and economic hardship caused the poor to suffer while asset values soared. The poor were made hungry, made destitute and their life expectancy reduced, while asset owners grew richer. Starving them of welfare, services, decent housing and employment, and even affordable food, the poor are disciplined and punished while property owners are encouraged, enriched and protected. Connecting rich and poor conditions and consequences, the past with the present, we see how wealth and power are often unearned, usually at the expense of everyone else, especially the poor.