Operationalizing organizational violence

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“Organizational violence” – organizational decisions that knowingly risk harm to human beings – has been traced back at least as far as ancient Greece (Geis, 1968: 11). The purpose of this chapter is to put forth for debate various dimensional elements for operationalizing that concept, primarily as a dependent variable in the explanation of crimes committed within organizational decision-making contexts.

Without some sense of agreement about what constitutes organizational violence, its use could lose material legitimacy, thereby impeding meaningful investigation into its underlying causes. For instance, Kramer (1983: 167) calls for comprehending organizational violence in terms of the environments and structures that facilitate it, but we cannot isolate those environments and structures as predictors of the phenomenon if we cannot agree on what that phenomenon actually is. Put another way, if those who study organizational violence opt for idiosyncratic rather than constituent definitional constructs, then the field as a whole will never evolve an understanding of such behaviors because it will never quite know what it is trying to understand. Simply knowing organizational violence when you see it – as Justice Potter Stewart declared about obscenity in Jacobellis v. Ohio (1964: 197) – is hardly the way to undertake scientific inquiry.

Subjectively, organizational violence may be construed narrowly as involving those purposeful organizational decisions that can inflict direct physical harm on human beings (as well as on other species and the environment). Or it may be perceived much more broadly as involving, for example, the case of the financial institution-based housing implosion of 2007 that resulted in four million US citizens losing their homes, becoming displaced or homeless, and subjected indirectly to the harm caused by the mental violence associated with their material and psychological losses. For the sake of clarity, both concretely and theoretically, it is important that some kind of definitional consensus is reached about the meaning of organizational violence. Otherwise, confusion and obfuscation will continue. Even worse, overusing the term often wrongly convicts people verbally who do not deserve the label. On the other hand, failure to use the label when appropriate will often mask what is arguably the wickedest practice of human immorality in the context of behaviors within organizations. Humanity demands that we take a moral stand against organizational violence, independent of scientific inquiry into its causes. However, to scientifically operationalize organizational violence requires an agreement about its definitional parameters.
Organizational violence

Some might argue that the idea of “violence” must have been limited to direct and immediate harms intentionally inflicted upon or threatening particular individuals, such as through battery, robbery, forcible rape, and murder, and therefore the use of “violence” in the context of legitimate business serves only as a sensationalized rhetorical metaphor, and is otherwise fundamentally irrelevant to any indirect and delayed harms associated with organizational decisions. The head of a company is not likely to pollute the water supply of a city in order to seek revenge on an ex-husband, for instance. Whatever persuasiveness this argument may have against the idea of organizational violence, one cannot argue that intentional choices by business decision-makers to recklessly endanger the life and limb of other human beings share nothing in common with assaultive behaviors that have typically been characterized as violent. Immediacy of harm is not an essential criterion for violence because, as Salmi (2004: 56-57) has noted, violence may be a “result of a deliberate human intervention in the natural or social environment whose harmful effects are indirect or often delayed.” Therefore, for the purposes at hand, it is the willful reckless physical endangerment of others shared by organizational decision-makers and by individuals committing violent “street” crime that renders organizational violence to be violence per se. Organizational “violence” is not a metaphor.

Previous use of “violence” in the context of organizational decisions

Referencing writing about organizational violence could go back at least as far as Upton Sinclair’s The Jungle (1906), a historical novel that depicted unsafe consumer product distribution, dangerous working conditions, and bio-hazardous pollution knowingly committed by large meat-packing plants. As for the specific use of the term, Ralph Nader’s (1971) piece, “Corporate Violence Against the Consumer,” may be the first written connection between intentional organizational decisions that harm human beings and the idea of “violence,” followed by several others who invoked the concept over the following decade and a half (e.g., Monahan et al., 1979; Monahan and Novaco, 1980; Swigert and Farrell, 1980; Tye, 1985).

Ronald Kramer’s (1983) important piece, “A Prolegomenon to the Study of Corporate Violence,” appeared in Humanity and Society, in which he offered what many consider to be the first systematic working definition of the conduct:

[C]orporate behavior which produces an unreasonable risk of physical harm to employees, the general public, and consumers, which is the result of deliberate decision-making by persons who occupy positions as corporation managers or executives, which is organizationally based, and which is intended to benefit the corporation itself.

(Kramer, 1983: 166)

In 1987, the appearance of two additional significant works – one a case study on Ford Motor Company’s 1978 Indiana negligent homicide indictment based on its Pinto automobile (Cullen et al., 1987) and the other an influential anthology entitled Corporate Violence (Hills, 1987) – clearly signaled that acts committed by organizational agents which threatened human harm are well within the purview of criminological inquiry into violent behavior. Hills proposed essentially the same definition of corporate violence as Kramer, but explicitly articulated non-criminal negligence for inclusion:

[A]ctual harm and risk of harm inflicted on consumers, workers, and the general public as a result of decisions by corporate executives or managers, from corporate negligence, the quest for profits at any cost, and willful violations of health, safety, and environmental laws.

(Hills, 1987: vii)
The idea that organizational actors make decisions that may be termed “violent” was also evident in the criminal courts at that time: during the 1980s, some level of criminal homicide charge was levied against American companies or their executives in at least seven unrelated instances of employee deaths caused by unsafe working conditions (Maakestad, 1987).

Since the late 1980s, using the concept of “violence” in relation to organizational behavior that is physically harmful to human beings has become routine. Additional books so titled include *Corporate Crime and Violence* (Mokhiber, 1988), *Corporate Crime, Corporate Violence* (Frank and Lynch, 1992), *The Case for Corporate Responsibility: Corporate Violence and the Criminal Justice System* (Bergman, 2000), and *Corporate Crime Under Attack: The Fight to Criminalize Business Violence* (Cullen et al., 2010). Doctoral dissertations on the subject include Courtney Davis’ (2000) *Corporate Violence, Regulatory Agencies and the Management and Deflection of Censure*. There have been many case studies which explicitly employ the usage of “violence” associated with non-criminal purpose organizations, ranging from environmental crimes (Raman, 2005; Rajan, 2001) to manufacturers of dangerous breast implants (Rynbrandt and Kramer, 1995), to criminally incompetent doctors (Liederbach et al., 2001), to restaurants that knowingly serve tainted foods (Walczak and Reuter, 2004). Organizational violence has been studied in the context of sexist victimization against women (Hinch and DeKeseredy, 1992; DeKeseredy and Goff, 1992), racist environmental victimization against African Americans (Stretesky and Lynch, 1998), a type of violence in general (Barak, 2003), and an industrializing nation as a whole (Green and Shou, 2013). There is even a sub-literature which addresses the social construction of awareness about organizational “violence” based on content analyses of the media (Wright et al., 1995; Burns and Orrick, 2002; Mcmullan and Mcclung, 2006). The phenomenon has been variously termed “suite violence” (See and Khashan, 2001; Punch, 2000), “toxic capitalism” (Pearce and Tombs, 1998), “industrial violence” (Schmidt, 2010), and, based on a large volume of work by Steve Tombs, corporate violence as “safety crime” (e.g., Tombs and Whyte, 2007; Tombs, 1995, 2007). Grounded on the aforementioned proliferation of work connecting humanly harmful organizational decisions to “violence” and the large amount of such scholarship that has yet to be produced, a focused analysis of the concept seems prudent.

Nine questions about the dimensions of organizational violence

We see at least nine debatable dimensional elements of the concept of organizational violence that may be extracted from the aforementioned literature. Because each of the elements is to a greater or lesser degree dependent upon all others, we will try to present them in a fashion that facilitates the overall discussion, beginning with what we see as the more fundamental elements:

1. Exactly what should constitute an “organization” for the purpose of conceptualizing “organizational violence”?
2. Does the violence necessitate criminal legal violation or should tortious or other non-criminal behavior also be included?
3. Does the violence involve only actual harm or must it include risk of harm as well?
4. Can the violence be non-physical?
5. Does the organization or its agent(s) commit the violence, or both?
6. How should intentionality to commit organizational violence be articulated?
7. Are motives for the violence relevant to the concept?
8. What is the nexus required between an organizational actor’s decision and its violent results?
9. Should non-human animals be included as victims of organizational violence?
We will now address these questions in terms of their implications for operationalizing organizational violence. Based on those discussions, we will then offer our own working definition for future consideration.

1 **What constitutes an “organization”?**

An “organization” should be broadly defined as any legal person other than an individual that has a non-criminal purpose, and would include governmental and non-governmental entities. Criminal purpose organizations (those that operate primarily for criminal purpose or by criminal means) are excluded because the concept of organizational violence should be limited to legitimate economic and political spheres. The inclusion of criminal purpose entities such as street gangs, organized crime, single drug dealers, and so forth will serve only to confuse the generally shared setting of where organizational violence occurs and who commits it.

Regarding non-government organizations, both Kramer and Hills have chosen to focus on “corporate” violence by “managers” and “executives.” We acknowledge that “corporate violence” is a catchy phrase with strong political overtones that implicitly vilifies the rich and powerful as greedy and uncaring. However, “corporate,” and specifically “corporate executives and managers,” may imply that these behaviors are committed only by people in much larger organizations (or at least by those in organizations that are legally designated as corporations), thereby leading us to ignore the countless physically harmful decisions made in the milieu of much smaller organizations, including those with no employees.

More than three-quarters of all businesses in the United States (78%) have no employees, and among those that do have employees, three-fifths (60%) have fewer than five (Bureau of the Census, 2008). Typically, more than four in five organizations convicted for federal crimes have fewer than 50 employees. Even the smallest businesses have many of the same opportunities to commit violent business behaviors (and the same profit motivations) as do larger ones, albeit on a smaller scale. Moreover, smaller businesses are not held to the same ongoing self-policing internal compliance program standards as are larger ones, nor are they under the same higher level of governmental and public scrutiny. Note that both federal and state RICO (Racketeer Influenced and Corrupt Organizations) criminal statutes include single-person enterprises as organizations. Therefore, although “corporate violence” may in a very technical sense be seen to already include small businesses because even one with no employees has at least one owner who can be called a “manager” or “executive,” we nevertheless strongly advocate the term “organizational violence” over “corporate violence.” We also assert that an “organization” be conceived as comprising one or more human actors. This view of organizational violence will necessarily encompass a very large number of relatively powerless persons, but adopting it does not in any way detract from the importance of special power relations associated with violent “crimes of the powerful,” including governmental actors involved in state-based violence.

2 **Should organizational violence be limited to criminal behavior?**

The question of whether organizational violence should include tortious or other non-criminal behavior in addition to criminal behavior is of monumental importance because its answer will have a massive effect on the number of acts which would be included under the concept. We will first analyze the issue for non-governments and then address governmental organizations.

Our vigorous inclination is to eliminate non-criminal negligence (that is, torts) from the conceptualization, as well as any other non-criminal behaviors. We noted earlier that Hills explicitly added “corporate negligence” as an element of organizational violence in response to Kramer’s...
alleged omission of it. Hills’ (1987: 5) rationale is that the idea of organizational violence must transcend the traditional criminal law and include any act which “could be punished by the government, regardless of whether the corporate offense is punishable under civil, administrative, or criminal law” (emphasis added). Using governmental punishment as the foundation for criminal behavior, irrespective of the venue in which it is levied, has been an accepted practice by criminologists since Edwin Sutherland’s earliest work (e.g., 1940, 1945) on “white-collar crime.” Sutherland argued to particularly include regulatory administrative law violations as well as criminal convictions as “criminal” behavior because both include a governmental punishment and both were created by the legislature in response to the harms involved (even though administrative law requires a preponderance of the evidence and criminal code law requires much more stringent proof beyond a reasonable doubt). Some of the most horrific acts of violence perpetrated by organizational actors have been adjudicated in administrative lawcourts enforcing regulatory law. We strongly support Sutherland’s (and Hills’) criterion that all governmentally punished acts constitute crimes. And, assuming that prima facie evidence for the corpus delicti of an illegality is present, we can declare them to be criminal acts regardless of whether they are officially adjudicated. In short, as long as an organizational behavior that risks human harm could be punished under criminal or administrative law (including international law) that has a governmental penalty, it is organizational violence because it is both criminal and violent. We must be careful here because mere judgment calls (such as whether the act constitutes criminal negligence) are not illegal prima facie and therefore must be left to the courts to decide.

We reject Hills’ call for including “corporate negligence” adjudicated under “civil” law. Foremost, we disagree that damages in civil court based on negligence represent a “governmental penalty.” Judicial findings against parties in administrative lawcourts result in fines paid to the government (and in some cases restitution to injured parties). Conversely, civil courts are merely places where one party can seek compensatory damages against another party because the latter is believed to have acted without due diligence to prevent a harm. The government merely enforces the rules of civil procedure in such lawsuits, sometimes decides (in non-jury trials) who are the winners, and in very rare cases approves of jury-imposed punitive financial penalties against the losers. But any governmentally approved compensatory or punitive damages are not paid to the government; rather, they are paid to the winner of the legal case. Therefore we see no “governmental penalty” associated with findings of non-criminal negligence by civil courts. To include non-criminal organizational negligence would open up the concept to acts such as failure to remove snow from the sidewalk in front of a company’s building (i.e., risk of human harm based on an organizational decision). If that is “violent” behavior, then one’s neighbor who also fails to remove snow would analogically be committing non-organizational violence. This example demonstrates how the inclusion of non-criminal negligence opens up a Pandora’s Box of behaviors that are relatively so innocuous and trivial that they belie the egregious essence of organizational violence.

Without some governmental penalty attached to an alleged act of violence, completely legal behaviors can be wrongly verbally convicted as constituting violence. A classic example would be the long-time designation as “violent” (e.g., Green, 1997) of Ford Motor Company’s actions in regard to its marketing of the Pinto in the late 1960s and early 1970s, even though it knew that the vehicle’s gas tank mounted behind the rear axle could immeasurably increase the probability of a fiery explosion as the result of a rear-end collision. Indeed, Ford’s now-famous Grush – Saunby memorandum that juxtaposes the costs of retooling (to relocate) the gas tank relative to the probable civil settlement payments in burn injury and death lawsuits has been seen as the epitome of organizational amoral profit rationality. However, as Lee and Ermann (1999) convincingly demonstrate, the Grush – Saunby memorandum occurred in 1973 (long after the Pinto had been designed and marketed), it was generated for the National Highway Safety Traffic Administration
in the negotiation of a possible safety standard and not internal distribution among Ford decision-makers, it was based on NHSTA-accepted procedures for cost–benefit analyses in such matters, crash-testing was not an established practice in the industry at the time the Pinto was designed and manufactured for several years, and the Pinto’s questionable design was quite legal because it did not violate any regulatory law. Thus, it is difficult to attach a label of “violent behavior” to those involved, especially when there is no evidence of purposeful action to break the law. In fact, Ford was concerned about the issue and took proactive measures to investigate it (Lee and Ermann, 1999). Ford was acquitted of the Indiana negligent homicide charge mentioned earlier.

We offer one more example that will help illustrate the necessity of requiring some level of governmental penalty associated with organizational violence. Millions of entirely legal abortions could quite reasonably be deemed to constitute organizational violence according to, for instance, Kramer’s definition, because: (1) organizational decisions are responsible for performing the abortions for profit; (2) there is no question of physical harm; and (3) unborn children are part of the “general population” (killers of pregnant women have been successfully prosecuted for double-homicide (see, e.g., 18 USC 1841), and the US Supreme Court in Roe v. Wade (1973: 165) placed unborn children under a state’s interest to protect her or him at later stages of pregnancy). Requiring a criminal legal violation will ensure that unfitting interpretations such as this legal abortion example are disallowed, but it will rightly include illegal abortions. And it will rightly include more atypical acts of organizational violence such as doctors found to be criminally negligent and the assaultive practices used by labor union bosses for purposes of intimidation.

Limiting non-governmental organizational violence only to acts punishable by the government should not in any significant way impede the labeling of egregious organizational activities, especially given the voluminous listings of administrative law violations. The stricture for governmental penalty will also help disqualify over-utilization by those who want to exploit social science as a political tool – both the Ford Motor Company and legal abortion examples could be improperly utilized for such purposes, for instance.

Addressing criminally violent acts by governmental organizations is far more complex because governments control definitions of criminal behavior, including their own. US non-federal governments are subject to federal criminal penalties when they involve organizational violence because an “organization” according to the US Sentencing Commission (2013: §8A1.1.1) includes “governments and subdivisions thereof.” However, actions by persons in federal governments that create risk of human harm (such as environmental pollution or unsafe working conditions) often have no criminal context and therefore they would theoretically be eliminated from the idea of organizational violence according to our mandate for governmental penalty. This technicality creates a difficult challenge, along with all the other acts of violence committed by governmental actors where no domestic or international criminal violation occurs. We have no answer for the conundrum associated with these relatively few circumstances, other than to determine whether the action would be punishable if committed by those in non-federal organizations. Surely there are ways by which the often unconscionable violence committed by state actors that is technically non-punishable may be rationally argued to be organizational violence without having to eliminate the governmental penalty requirement.

3 Risk of harm vs. actual harm as violence

One might argue that mere risk of injury associated with an organizational criminal act as defined earlier, even if it is a foreseeable risk, is not violent behavior because no harm resulted. That is, no harm, no foul. But there is probably very close to a unanimous consensus that organizational violence comprises risk of human physical harm in addition to actual inflictions of injury or
death, rather than only the latter. We noted at the outset of this chapter that the knowing reckless endangerment of others is the foundational rationale for connecting organizational violence to violence per se, and therefore the concept must include risk of actual harm. To argue that risk of human harm without actual harm is irrelevant to organizational violence is akin to stating that an errant bomber who misses his or her random human targets because of a failed detonation did not commit an act of violence because no injury resulted. The foreseeability of risk would have to be necessary, of course, whether the offender knew, or at least should have known, that the result of their organizational action or inaction put others at risk. Determining foreseeability of risk will be discussed in the section on intentionality.

4 Physical vs. non-physical violence

The term “crime of violence” most generally denotes physical harm. But it can also involve only a threat of physical harm – the violent crime of “assault,” for instance, need not involve touching or battery of the person, only that some level of fear existed in the victim. One exception to actual or threatened physical harm in a crime of “violence” is extortion, where a person is forced to choose between two unwanted alternatives, each of which can be non-violent. It is the mental harm, or mental violence, associated with extortion that causes it to often be listed in the same section of criminal codes as robbery (robbery also involves forcing a person to address two unwanted choices: one’s money or one’s injury). Thus, even in violent street crimes, not all violence involves physical harm or even the threat of physical harm.

The conceptualization of violence has recently been expanded to include the infliction of mental anguish, especially in relation to domestic violence (against intimate partners, against one’s children, and against one’s parents) (see, e.g., Barak, 2003). To give but one example of domestic non-physical mental violence, threats of harming companion animals of a partner is a way to demonstrate power, teach submission, and perpetuate a context of terror in an overall battering-control schema (Adams, 1995). But compared to physical harm, determining mental harm caused by an organizational decision-maker will be far more subjective (and therefore more problematic). One illustration of this is Stein’s (2005: 448) assertion that downsizing in large organizations is a form of “corporate violence” because it is an “assault on the human spirit . . . .” If termination from employment raises the specter of being a victim of organizational violence, organizational violence is endlessly present wherever some sort of mental anguish is claimed as a result of organizational decisions.

Especially given the relative powerlessness of individuals compared to large organizations, especially given the relative powerlessness of individuals compared to large organizations, especially given the relative powerlessness of individuals compared to large organizations, including the idea of “non-physical” mental violence in the study of organizational violence would be far too idiosyncratic to withstand scientific scrutiny. Virtually any perceived intimidation by an organizational actor against an individual could then be deemed “violent” behavior by anyone else (recall the example of “mental violence” against the displaced and homeless inflicted by the financial institution crisis that was mentioned at the outset of this chapter), and such amorphous applications would retard the study of organizational violence to a point of no return. Although mental violence may well be an integral part of complex domestic and other abuse situations, the study of which would be incomplete without its inclusion, the addition of non-physical violence to the operationalization of organizational violence is most probably a mistake.

5 Is the violence committed by the organization or by its agents?

Both Kramer and Hills proclaim that organizational agents are the culpable parties for any acts of violence. Using methodological reductionism (or, perhaps more accurately, methodological individualism) to study organizational violence – predicated on the idea that the best scientific
strategy is to attempt to reduce explanations to the smallest possible entities – may seem excessively obvious. But there has been a tendency to anthropomorphize organizations into emergent actors (e.g., Braithwaite and Fisse, 1990; Geis, 1995; cf. Parisi, 1984; Cressey, 1989).

Kramer and Hills essentially adopt the same methodological individualism position articulated by the US Sentencing Commission (2013: Introductory Commentary): “An organization can act only through its agents, and under . . . criminal law, generally are [only] vicariously liable for offenses committed by their agents.” “Agents” include directors, officers, employees, independent contractors, and anyone else authorized to act on behalf of the organization. As Herbert et al. (1998: 869) observed in support of the idea that only people can commit organizational behaviors, “It is one thing, for legal purposes, to hold an organization vicariously liable for its agents’ actions. It is quite another, for explanatory purposes, to assume that an organization acts independently of its agents” (emphasis in original). Organizational actors are always free to choose alternative business behaviors that do not result in the poisoning of the environment or that risk the maiming and killing of consumers and workers. Once firms are taken as the responsible parties for the decisions made within them, individuals’ preferences and choices become irrelevant. Put more accurately, such an approach allows individuals, as agents, to easily distance themselves from the decisions they make by blaming the business environments in which their firms are located or based. It is therefore probably imprudent to assume any autonomous act of violence that emerges at the organizational level. The role that organizations play in theorizing about organizational violence should suggest nothing more than their influence (through opportunity or lack of it, culture, or whatever the theory at hand suggests) on an individual actor’s choice of behavior (Herbert et al., 1998: 869).

6 Intentionality to commit organizational violence

Imputing violent behavior to any individual must include some level of intent or mens rea. Accidental harms would be excluded to the extent they were completely unintentional. Cressey (1989) has argued persuasively that unintentional organizational behaviors which happen to violate the law cannot be explained criminologically. Further, as Perrow (1999) has told us, high-risk technologies (such as space exploration and nuclear power) will inevitably lead to “natural accidents,” regardless of our intent to avoid them. Therefore, equating unintentional legal violation that risks human harm to “violence” is not only unfair to the entity so labeled, it also contradicts the egregiosity of the purposeful inhumanity that is a core essence of organizational violence.

In addition to being non-accidental, the risk of harm must be foreseeable in order to be intentional for our purposes. A person who knows of a foreseeable risk, or should have known about it, is a fair yardstick by which to impute intentionality. The US Sentencing Commission (2013: §8A1.2) has articulated exactly how to determine whether a risk to human harm was known or should have been known, and its language should be employed in the determination of foreseeable risk in applications of organizational violence: Did the person “participate in, condone, or be willfully ignorant of” a non-accidental legal violation that risked human harm? Adopting further from the Commission, an organizational actor “condoned” a foreseeable risk if she or he knew about it and did not take reasonable steps to prevent or terminate it. And the organizational actor should have known about the risk if they were “willfully ignorant” of it by not investigating its possible occurrence despite knowledge of circumstances that would lead a reasonable person to investigate whether a risk would occur or had occurred. Each of these levels of culpability should be treated as equally blameworthy.

Although case-specific applications of criteria such as “condoning” or being “willfully ignorant” of a risk to human harm may become subjective, as well as whether the risk creation was
completely “accidental,” at least the foregoing language from the Commission represents tangible and sensibly articulated standards to relate to actual instances of organizational actor behavior. Including full blameworthiness for “condoning” and “willful ignorance” will enable persuasive denunciation of many organizational actors’ claims that they did not participate in a decision which resulted in organizational violence or that they did not know about one.

7 The role of motive in organizational violence

Motive is not a cause because, as Sutherland (1973: 39) observes, “People steal [for various reasons] – and they engage in lawful employment [for the same] reasons” (see also Hirschi and Gottfredson, 2008: 221). Therefore, motive, specifically in the case of organizational violence-for-profit, should not be used as an independent variable in the explanation of organizational violence because there are always alternative choices of behavior to those that include an illegal risk of harm to human beings.

That stated, we nevertheless propose, as did Kramer and Hills, that motive is an important aspect of operationalizing organizational violence – but only as it relates to agents’ decisions that are calculated to have a beneficial result to their employing organization. These attempts to benefit the organization through the use of violence invariably materialize in the form of economic gain – either by increasing income or decreasing cost (e.g., knowingly distributing dangerous foods or other consumer products to avoid loss, choosing to pollute the environment rather than purchase expensive correct disposal equipment, failure to ensure worker safety because of its costs). However, the commission of organizational violence by agents based on the motive to benefit an employing organization should represent nothing more than a definitional restriction. Such limitation would be specifically designed to exclude violent behaviors committed within an organizational context for personal gain only (as opposed to violent behaviors that benefit both the organization and the agent, which should be included).

An example of violence within an organizational context that is committed strictly for personal gain would be driving a commercial truck while illegally intoxicated or flying a jetliner while illegally impaired by prescription drugs. As well, child molestations by clergy would not be considered acts of organizational violence because these are of no benefit to the religious organization. However, condoning those molestations or being willfully ignorant of them by others to avoid adverse publicity would be seen as organizational violence because hiding the scandal would be motivated by organizational benefit.

To have true meaning, the conceptualization of organizational violence should include some attempt to benefit the organization.

8 Determining the nexus between an organizational agent’s behavior and its violent results

One important aspect in employing the concept of organizational violence is whether the organizational behavior is the “proximate cause” of the risk of human harm in question. This is not the place to dissect the innumerable legalistic technicalities associated with proximate cause, but it nevertheless should be addressed here as an essential element of organizational violence.

Kramer uses the idea of organizational decisions “producing” risk and Hills frames it in terms of risk “resulting” from organizational decisions. But how do we determine whether the organizational decision actually produced the risk or whether the risk was actually the result of the decision? We must ask one simple question: “Was the organizational decision to act or fail to act necessary for the risk of harm to occur?” The answer to this question will probably be affirmative
and _pro forma_ in most cases of alleged organizational violence, but asking it will nonetheless help prevent the over-application of the label upon those who do not deserve it. Thus, the claim that “firearm manufacturers commit organizational violence because they knew or should have known about the foreseeable risk that their products will be used in robberies and murders” would be falsified because the manufacturers had nothing to do with the decisions to employ their otherwise safe products to injure others. Verifying the organizational decision as the proximate cause of the risk of harm may seem elementary, but it should in all cases be compulsory.

9  _Should non-human animals be included as victims of organizational violence?_

Any conceptualization of organizational violence that does not include the victimization of non-human animals can potentially be criticized for its speciesist bias (Beirne, 1999). Certainly, non-human animals are analogous to human victims of organizational violence, such as fish which die in polluted rivers, dogs and cats which die from poisonous pet food consumer products, and work animals which are harmed or killed based on cruel working conditions. Without implying a lack of regard for the feelings of non-human animals, it is probably better at this point to limit victimization from organizational violence to human beings. Students of organizational violence should be conscious of the significance of a non-speciesist conceptualization (such as Lin, Chapter 33, this volume), as long as any inclusion of non-human victims of organizational violence adheres to the concept’s accepted parameters (e.g., that the behavior is subject to a governmental penalty, that the violence was based on organizational benefit, that the organizational actor’s decision is the proximate cause of the violence).

**Conclusion: a working definition of organizational violence**

We have tried to deconstruct the concept of organizational violence into its rudimentary dimensional elements and discuss what we believe to be the important questions about them. The following appear to be the most significant ways to capture the quintessence of what most criminologists have traditionally seen as organizational violence: (1) it should not be limited to any kind or any size of organization and the organization must not have a criminal purpose; (2) it must involve an act to which there is a governmental penalty attached; (3) it should involve foreseeable risk of harm rather than actual harm; (4) it should be limited to risk of physical harm; (5) the unit of behavioral analysis should be the actor and not the organization; (6) non-accidental intentionality must be established by actor participation in the creation of the risk, the actor condoning the risk, or the actor being willfully ignorant of the risk; (7) organizational violence must be committed for the benefit of the connected organization in some way; (8) the actor’s behavior must be verified as the proximate cause of the risk; and (9) organizational violence should not at this time include non-human animal victims. Thus, we offer the following working definition of “organizational violence”:

Any non-accidental behaviors committed for organizational gain within a non-criminal purpose organization that participates in, condones, or demonstrates willful ignorance of a governmental punishable act within that organization that risks physical harm to human beings.

This statement will undoubtedly lead to some level of consternation about whether this or that real instance of organizational behavior should or should not fall within its bounds. No single definition of organizational violence will allow perfect classifications, nor will it please everyone.
But the working definition we have put forth should, in the vast majority of applications, be relatively easy to relate to acts that embody at their core what most people in the field have believed to be the conceptual essence of “organizational violence.” Discussions must continue about the various dimensional elements we have presented, as well as any additional ones we may have missed, so that the field of criminology can find both congruity and consensus about the use of organizational violence as an academic concept.

References


Organizational violence


