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STOLEN GOODS : THE AMATEUR TRADE

S. D. HENRY

Submitted for the examination for
the degree of Doctor of Philosophy
at the University of Kent at
Canterbury, October, 1975.

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ACKNOWLEDGEMENTS

I should like to express my sincere thanks to: Steve Box, Gerry Mars, Jason Ditton, Mike Phillipson, John Tobias, John Mack, Ted Ferdinand, Carl Klockars, Duncan Chappell, Ted Roselius, Richard Fahey, Cathy Howard, Christine Fox, May Hobbs, Roy Workman, John Francis, Angie Boorman, Gill Petters, Pat Parkinson, Centre for Research in the Social Sciences, University of Kent, The Kent Probation and After Care Service, The Administrative Staff of Kent County Courts, The Staffs of the Libraries of the Universities of Kent and the London School of Economics, the Social Science Research Council and especially to Sally Ann Henry.

ABSTRACT

This thesis may be read at a number of levels. It may be seen as a research exercise in which aspects of interpretive methodology are applied to an undocumented area of social life, and the result described and interpreted. As a research product it can be viewed as an attempt to present an account of an activity in the members' own terms, at the same time, preserving the integrity of their statements as first-order constructs available for repeated interpretation. It also represents an endeavour to understand how individuals are moved to act in a particular way, towards the apparent realization of a particular patterning of social behaviour. Finally, it suggests how individuals' action and the wider social and ideological structure of society are related through meaning.

With these perspectives in mind, chapter 1 is a theoretical discussion and description of the methods used to conduct the investigation. A triple sandwich technique is developed, involving three stages of interviews each separated by a stage of participant observation. The members' accounts given in the interview are used as source material; the participant observation used as a sensitizer of the relevancies in these accounts and as a means of validating the extractions made from them. Chapter 2 is a critical review of the documentary evidence on the subject area. The position is adopted that, as a result of inadequate research, mishandling of the available evidence and crime-preventative bias, previous commentators have misrepresented the professional activity, notably, underemphasizing its social nature, and in doing so have overlooked the importance of the non-professional activity. Chapter 3 defines the

subject and locates it in the wider structure of stolen property distribution. Chapter 4 reports the members' accounts of the morality of their activity and illustrates how such accounting practices render them morally free to engage in the criminally illegal acts comprising their trade. Chapter 5 describes and analyses the operation and social foundation of the members' activity. It suggests that the amateur trade is essentially a medium through which persons are selected for membership of social groups, the deal being confirmation of membership which is subsequently celebrated on completion. Finally, chapter 6 lays bare the members' reasons for finding their activity one which they intentionally desire to engage, and once engaged, to repeat. It locates the meaning context for participation in a reassertion of humanism, play and the reciprocity of social relationships through gift exchange. It suggests that the meaningful backcloth to members' reasons is the conflicting ideological currents of an economically organized, alienated society and a reciprocally organized community.

Chapter 1

LOOKING OVER THE FENCE : AN ACCOUNT OF
THE RESEARCH METHOD

LOOKING OVER THE FENCE : AN ACCOUNT OF THE RESEARCH METHOD

I had contemplated doing a study of suicide in which I would demonstrate my firm conviction that those involved in raw social experience show at least the same distribution of sociological skills, insight, and competence as researchers who are parasitic to the field. Shortly after starting however, I realized that even if successful in this endeavour, it would be in the capacity of research sociologist without experience of suicide, that I would be showing this "revelation", which tended to undermine my gusto. My thoughts turned to how I could best use my experience in life's rich real world to inform my research interest; I decided to be a parasite to my own host.

I had some "uncontaminated" experience in the photographic industry prior to going to University, and had always been interested in the substantial activity of work colleagues which went on outside their contracted role as employees. A major aspect of this activity was the time and involvement spent in two superficially separate activities. One was acquiring "bits and pieces" of the firm's stock by pilfering and fiddling; the other was the sale of "cheap goods" brought in from outside. The pilfering aspect of this activity had already received some sociological attention (Robin, 1970,1974; Horning, 1970; Mars, 1973,1974) and fiddling was being looked at by Ditton (1974, 1975). Since no one had examined the buying and selling activity, my supervisor suggested I look at what he described as, "the secondary economic system". I felt it would be fruitful to concentrate on a preliminary examination of this trade in "cheap goods", and secondarily to find out where pilfered and fiddled goods went. I discovered what I had suspected,

that these points of examination led to the same activity : the amateur trade in stolen goods. In short, goods pilfered, fiddled and stolen from one workplace, are often sold as "cheap goods" among workers in another. These then were the thoughts behind my choice of subject.

The choice of any topic for investigation presents the researcher with certain methodological difficulties. When the topic is one in which there has been no previous research, those difficulties are compounded. Here I present a review of my research methods. Parts (A) to (C) (i) were written prior to my research experience. Part (A) lays out the theoretical foundation for the largely interactionist/interpretationalist approach adopted and includes a vindication of the epistemological position of verstehen based methodologies. Part (B) is an attempt to clarify and hopefully to resolve problems associated with participant observation. Part (C) (i) outlines the projected research plan which, at the time of writing, it was my intention to carry out in full. Parts (C) (ii) to (D) were written after the bulk of research was completed. Part (C) (ii) is an account of the research actually achieved and includes my reasons for not adhering to the original research plan. Part (C) (iii) is an evaluation of the "triple sandwich" method which emerged from the research. Finally, part (D) is a summary of the biographies of the sixteen members of the amateur trade whose accounts, in the event, provided the bulk of the material used in the thesis.

I could easily have written this chapter in the light of my experience of research, so as to smooth out the inconsistencies and unachieved aspects of the methodology

in order to show how well I had achieved my programmed research plan. However, to have done so would not only have distorted the research process, but would have lost an essential ingredient of any research : how to continue, when one is absolutely certain that it has all gone wrong, that it is not possible, that too much has been taken on ; in short, that it is not the research that you expected. By presenting the methodology in the way I have done, that is to include both failings as well as successes, I hope it may be useful to those experiencing similar problems, and especially to those investigating an unresearched field who have no previous research experience.

(A) Methodological Orientations

Whatever the place of value in the content of sociology (Weber, 1957; Habermas, 1963, 1974 ; Albert, 1974), it is certain that initial orientations into sociological research require the researcher to make a number of value judgements. At least one of these will be addressed to the question of whose sociology will be used. From the apparent sea of methodological confusion, it is possible to precipitate two kinds of recipes for research, corresponding to two schools of thought. There is positivistic sociology, whose advocates attempt to explain the social world in the manner that natural scientists explain the physical world. In contrast, there is interpretive sociology whose advocates argue that the social world is fundamentally different from the physical world and consequently requires a different method of study. My first value judgement is to consider this distinction worthy of discussion.

Those (Durkheim, 1938 ; Popper, 1959 ; Nagel, 1961; Homans, 1961 ; Rudner, 1966 ; and Hempel, 1952) who acclaim

the positivistic methodology, hold that the aim of sociology is the accumulation of knowledge about the social world in the same way that members of the natural science profession accumulate knowledge of the physical world. They maintain that the only way that this knowledge can be obtained is by treating the social world as though it were the same as the natural world of physical objects. Hence Durkheim's (1938, p.27) classic statement, "Social phenomena are things and ought to be treated as things". The method to be applied, as Popper (1959) says, should be that of the natural science "covering law model" or hypothetico-deductive method. This comprises the initial conditions and at least one law-like statement, arranged in such a way that the hypothesis is logically deducible from them. The hypothesis is then tested empirically and is either validated or rejected according to the law of falsification. If the hypothesis is not confirmed in the empirical situation, the theory must be rejected because of the logical nature of the scientific paradigm. If the hypothesis is supported, the theory is not verified, but is held as not disproved and the body of undisproved theories, at any one time, is taken to constitute the knowledge of the science. However, as Homans (1961) has powerfully argued, a failure on the part of sociologists to produce theories containing law-like statements from which it is possible to produce testable hypotheses, has prevented the social sciences developing systems of explanatory theory and thereby knowledge comparable in precision to that offered by natural science.

Whether or not the method actually used by natural scientists to make discoveries and accumulate scientific knowledge, is that which the philosophers of science say it

is, is open to question. Kuhn (1970), for example, has argued that the crucial factor in the acceptance or rejection of theories is the system of relevancies of the scientific paradigm, and this is decided by common agreement between the community of scientists. Aside from this, the application of positivism to sociology has met with considerable criticism from those (Weber, 1957 ; Schutz, 1962, 1972 ; Douglas, 1967, 1972 ; Walsh, 1972) favouring the interpretationalist approach. They argue that there exists fundamental differences between the nature of the natural world and that of the social world which render the application of natural science methodology inappropriate to the study of social life. Thus Schutz (1962) has argued that the natural world is composed of objects whose physical relatedness gives rise to natural phenomena. Such phenomena however, are intrinsically meaningless, only having meaning conferred on them by observers during processes of selection and interpretation according to the relevances for their task at hand. As Schutz (ibid., p.5) says, "the facts, data and events with which the natural scientist has to deal are just facts data and events within his observational field... these facts and events are neither preselected nor preinterpreted ; they do not reveal intrinsic meaning structures. Relevance is not inherent in nature as such, it is the result of the selective and interpretive nature of man within nature or observing nature." In other words, while the objects of the natural world have meaning to the scientists who study them, they have no meaning to each other.

In contrast to the natural world, the social world is a world constituted by meaning and the phenomena

comprising it are intrinsically meaningful. As Schutz says (1964, pp. 5-6), "... the social world... has a particular meaning and relevance structure for the human beings living, thinking and acting therein. They have preselected and preinterpreted this world." Unlike the objects of the natural world whose physical relatedness is directly consequential on their properties, the objects of the social world are related through the meaning each has of the other. As Weber (1957) argued, social action is comprised of the orientation of a person's behaviour to the past, present, and future behaviour of others, which he called the meaning relatedness of behaviour.

Those supporting the interpretationalist approach argue that, as a result of these differences in the characteristics of natural and social phenomena, students of each are placed in a different relationship with respect to their field of study. Because of the inherent meaninglessness of natural phenomena, scientists are able to determine from the outside which facts and events and which aspects of them are relevant for their purpose. It is for this reason that Schutz (1962) describes their activity as "first-order inquiry". However, the preinterpreted nature of social phenomena means that the student of social life has as his subject matter a world of other people's interpretations. His constructs must therefore be constructs of constructs and his inquiry a second order inquiry. The appropriate methodology for such an inquiry is not one which seeks to explain social phenomena out of the cause and effect of what its members do, but to understand how the members construct meanings of social action and how they act on those meaningful constructs. As Silverman (1972, p.189)

argues, "The concern must be to understand members' ordering of experience in order to step outside it so as to understand the human processes through which activities are assigned meanings.". "The failure of positivistic sociology", argues Walsh (1972, p.18), "lies in its inability to grasp the meaningful constitution of the social world and the consequent reliance on a methodology inadequate for the exposition of that world.".

My second value judgement is to accept that the social world is different in nature from the physical world and requires a method of study, which allows the researcher to understand the meanings of members, how these are constructed, and how such constructions go to constitute social action. The method used to gain such understanding can only be based on the methods available to humans to understand : those of verstehen or interpretive understanding.

Although the use of verstehen as a method of sociological research is attributed to Weber, it is not without acknowledgment in the writings of others. Thus Cooley (1902) argued that we can understand the behaviour of human beings by being able to share their, "state of mind", while the founder of positivism, Comte (1880), pointed out, (without accepting the consequences) that, "empirical generalizations about human behaviour are not valid unless they accord with our knowledge of human nature.". However, the formal adoption of verstehen, empathetic or intuitive understanding, rests with Weber (1957).

Weber (ibid.) distinguishes two senses of understanding : immediate intuitive understanding which involves the conventional habits of the investigator in thinking in a particular way ; and explanatory understanding

which entails the capacity of the investigator to feel himself empathetically into a mode of thought, which deviates from his own and which is normatively false according to his own habits of thought. According to Weber, intuitive understanding of action occurs where understanding is immediate. However, acts may be related to the context of meaning not immediately apparent to an observer and to understand behaviour at this level, requires the ability to empathize with other modes of thought. It is this empathetically grounded understanding that Weber calls explanatory understanding or verstehen. To explain an event is to give a motivational account of that event which is adequate at a level of meaning. It is only through verstehen that such adequacy can be arrived at and assessed.

Schutz (1972, pp. 86-87) while agreeing with the general position of Weber's interpretive approach, criticizes him for failure to distinguish between, "that context of meaning which the actor feels is the ground of his behaviour and that context of meaning which the observer supposes is the ground of the actor's behaviour". In order to obtain a genuine understanding of the context of meaning behind an actor's behaviour, which goes beyond merely stating the goal of that behaviour, (in Weber's terms direct or immediate observational understanding ; in Schutz's terms the in-order-to motive) and goes beyond a mere ordering of one's own experiences into categories or self elucidation, it is necessary to synchronize the streams of consciousness of the observer with those of the actor, such that his stream of consciousness is simultaneously flowing along a track temporally parallel with our own. This can be achieved only through engaging in the interpersonal relations in the

context of the action to be understood.

Verstehen based methodology has been criticized on at least three different levels by opponents of the interpretationalist tradition. On one level, it is argued that verstehen is not even a methodological technique. Abel (1948) for example, has argued that advocates of verstehen technique have constantly neglected to specify how the operation of it works. He suggests that this is because rather than it being a method or technique it is a human faculty. On another level, it is suggested that verstehen can never be used to discover new knowledge. Thus Abel (ibid.) argues that the only reason we can understand by verstehen, is because we have previously experienced the sequence of events before and because we have previously established the connection between them. He states that verstehen explanation only gives us understanding because it conforms to our "recipies for action", and as such, it is based upon knowledge already possessed. In so far as this is true, it cannot directly serve as a means of discovering new knowledge and, at best, can only confirm what we already know. A more sophisticated version of this argument is that through verstehen understanding, actions are interpreted in terms of assumed shared meanings and in terms of the normative boundaries within which actions make sense. Should action fall outside these boundaries, as in the case of deviant action which is not understandable in terms of our normal categories of meaning, the actions cannot be understood, and as a result, knowledge of these areas is unobtainable. Finally, it is argued that verstehen is not a verificatory method. Weber, himself, was the first to argue that verstehen alone was insufficient to explain

social action. Rudner (1966, pp. 71-73) captures the essence of this criticism by asking, "What check does the empathizer have upon whether his empathetic state is reliable?" He questions how the observer can know when his meanings are the same as those of his subjects, and how he can independently establish the reliability of the empathetic act without the very psychological state that is the object of empathy. He argues that if we have this independent knowledge, what more can be required? In short, from Rudner's argument it would appear that the very thing that is necessary in order to verify verstehen-type explanations would make such explanations redundant.

Looked at superficially, the case against verstehen seems substantial. Closer examination, however, reveals the body of criticism to be largely ill-founded. The argument which claims verstehen is a human faculty is not only erroneous reification, but also irrelevant. A human faculty is a power inherent in the body or an organ. Verstehen is not such a faculty since, as Wax (1967) has argued, it has to be acquired through a process of, either, primary socialization into one's own culture, or secondary socialization into an alien culture. To lose sight of its existence as a product of the human activity of learning is to reify its conception. Moreover, because verstehen is the same process used in our everyday interpersonal relations, and because we unsurprisingly take that process for granted, this does not preclude its utility as a methodological procedure or indeed, deny that it is one.

The charge that verstehen can never be used to discover new knowledge, owing to its reliance on previously experienced events, reveals a complete misunderstanding of its nature. If verstehen were to be used in this way, it

would not provide, as Schutz (1972) argued, genuine understanding of the other, but merely self elucidation through a re-ordering of one's own experiences. But this is precisely what verstehen should not be. Instead, it should be used in such a manner that categories of experience emerge from the action in which both the actor and the researcher participate. Thus, new knowledge is 'discovered' by the researcher constructing new meanings which are constitutive of the normative structure of the interaction of which he is a part. In short, he discovers new knowledge by sharing the meanings of the members whose activity he is studying, and not by attempting to fit external indicators of those meanings into his own pre-existing framework of understanding.

For Weber, verstehen was incomplete as a method precisely because of the criticism that it lacked verificatory ability. For a logically complete explanation, it is necessary, according to Weber, to have causal significance, and this will only obtain when there is some proof that it typically takes the observed course ; that it can be demonstrated that there is some probability of certain kinds of motivational structure giving rise to certain kinds of actions. In short, completeness of understanding-explanation will only occur with statistical verification, so that the explanation is both adequate at a level of meaning and at a level of causality. However, statistical regularities no more demonstrate the existence of an objective possibility than does verstehen. As Winch (1958) has argued, if an interpretation is, "logically inadequate", statistics will not resolve the issue. He says (ibid., p. 113), " The compatibility of an interpretation with the statistics does not prove its validity. What is needed is

a better interpretation, not something different in kind ". Verstehen interpretations can however, be validated so that we know when we have attained a synchronous state with members' meanings. Such a validation comes about, not by statistical inference, but when we have learned, as Goodenough (1966, p.36) says, "whatever it is that one has to know or believe in order to operate in a manner acceptable to members and to do so in any role that they accept for any one of themselves ".

It is evident from the foregoing analysis of verstehen, that the first requirement of an interpretive methodology is for the researcher to be a participant in the context of the members' action, in order that he may sufficiently share their meanings. At the same time, however, it is necessary that he is able to observe the meanings he shares. A methodology which allows this is participant observation. In the next section, I will consider some of the problems facing the researcher who "operationalizes" verstehen in the form of participant observation.

(B) Martians, Natives and the "Action Replay"

Participant observation can be described as a method of collecting information by taking a first-hand look at action-in-process, in its natural setting. It comprises a certain involvement by the researcher in the everyday lives of persons whose behaviour is to be understood. As Douglas (1972) has observed, involvement is necessary in order that the researcher can share enough of the commonsense meanings, and the taken-for-granted concepts to understand these meanings. Henslin (1967) has described it as a way of getting a subject perspective, enabling the

understanding of phenomena from the viewpoint of the persons involved. Indeed, Polsky (1969) has noted that the approach must be from "within", in order that conceptual categories are derived from the members of the situation, rather than the sociologist.

Participant observation, therefore, clearly requires involvement by the researcher in the members' action scene. However, it requires more than this. Unlike the bona fide member, the researcher not only requires to become soaked in the meanings of members, but he also needs to be able to identify these meanings. He somehow needs to observe meanings. Because of his involvement in members' experiences, his meanings are similar to theirs. Thus by turning his attention towards his own meanings, he is able to observe directly, the meanings of members. In short, he must both play the role, and stand back from this role, in order to see how he is playing it.

A basic question is posed for any prospective participant observer : To what extent should he get involved in the action scene ? Ideally, the most satisfactory level of involvement in terms of obtaining meanings, would be total or "native" involvement. However, there are at least five different problems which such involvement generates. These are the problems of ; (i) observability ; (ii) contamination ; (iii) interpretation/reportability ; (iv) going native ; and (v) verstehen validity.

The problem of observability is by far the most serious, and it appears to be endemic to any study using participant observation. Put simply, it is this : given the existence of shared meanings of which the observer

requires knowledge, how can he become sufficiently involved to obtain these, and remain sufficiently detached to observe them. The difficulty arises because, without a large degree of involvement, the background meanings are almost impossible to acquire. However, as Douglas (1972) has noted, this degree of involvement leads to the the researcher taking the background meanings for granted. With even greater involvement, the researcher sees less of these meanings and finds it difficult to see how they are significant in determining more specific meanings. Douglas (ibid.) says the problem seems circular : to get meanings you need to get involved, but being involved you lose sight of those meanings. In short, as involvement increases, objectivity decreases, and that is the observability dilemma.

A second problem concerning involvement is that of contamination. The argument is that any involvement by the researcher at any level, will inevitably distort the true nature of the action scene. The presence of an external observer, is held to so alter the everyday behaviour of the members, that the study becomes a mere artifact of the research method, and no longer resembles the normal, everyday, actions of those involved. Thus Schwartz and Schwartz (1955), say that the process of interaction studied, is influenced by observer-observed transactions, which must affect the situation in some way, because they would not have occurred without his presence. Similarly, Gans (1968) has argued that the unaware observer will be "sucked into emotional involvement". He says that by treating him as a person, the members of the action scene will be forced to express feelings which will make the situation into something that it was not before. Additionally,

the observer may affect the situation unintentionally, by passing on anxieties about how his research is progressing.

The crux of the interpretation /reportability problem, is that involvement, in one way or another affects the researcher's ability to interpret events indifferently, and biased reporting results. It is suggested that involvement necessarily gives rise to affectual ties with members. Thus Schwartz and Schwartz (1955), argue that in all participant observation affective involvement with the observed develops, and may range from sympathetic identification, to projective distortion. The result, they say, is that the participant observer is prevented from recording valid data. Similarly, Gans (1968), says that where the treatment of the researcher by those he studies is at a human level, the feelings expressed by him in response will affect the validity of the information gained, because his personal involvement may trigger his values or interests, and he may feel obligated to express feeling. This in turn may cause persons to dislike him and he will be prevented from gaining information from them.

"Going native" constitutes a fourth problem in so far as it may terminate the research. According to Douglas (1972), "going native" occurs when the researcher becomes so involved in the action scene that he ceases to observe meanings. He dons the identity of those he is studying, at the expense of his research identity, which he drops.

Finally, there is the problem of verstehen validity. This has two elements. Firstly there is the practical difficulty, as a researcher, of obtaining the same meanings as those of the persons being studied. Henslin

(1967), maintains that this can never be achieved because as a sociological researcher, one's presence in the action scene is for a different reason to that of the members. Secondly, even if it were possible to achieve the meanings of those under study, how would you know when you had these? It will be remembered (above p. 10) that Rudner (1966) made a similar point when asking what check the empathizer has on whether his empathetic act is reliable, and how we independently establish this reliability.

Some researchers, aware of these difficulties and seeking to endow their work with "scientific" respectability, have attempted to reformulate the method of participation. One solution is seen in the technique of total observation. In its extreme form this requires that the observer be present in the action scene, but not be interacting with the members. A position is sought where the researcher observes the members' behaviour, without destroying the purity of the situation. Fred Davis (Douglas, 1972, p. 18) has aptly described this form of participant observation as the "martian situation". The martian approach is held to maximize observability, because the researcher is not distracted by the members; minimize contamination, because he does not interact with the members; minimize reporting bias, because the researcher remains detached from members' influences; and prevent "going native" because he is continuously involved in his research. These difficulties are supposedly overcome because involvement itself is eliminated.

The martian approach, however, is not participant observation, but observation. As such, it fails to give the researcher access to the object of his inquiry: members'

meanings. Douglas (1972) has argued that to observe meanings without involvement, means the martian observer would have to construct meanings from externally observed relations and language. Meaning would have to be defined, not in terms of internal states, but in terms of external relationships. He says (*ibid.*, p. 20) apart from the practical difficulty of observing the infinite number of external relations that exist, we would still be unable to know what the situation was for the participants, and it is necessary to know this before we can determine the meanings of the events witnessed.

While the martian approach may free us from the problems created by involvement, it does so at the expense of the subject of our inquiry. It solves the observability problem by removing the subject from sight and substituting it with our own imposed meanings, whose similarity to those of the members cannot be known. Moreover, in cases where the observer is present in the action scene, it is doubtful whether the martian approach actually resolves the problem of contamination. Contamination purportedly occurs through the interaction between observer and observed. However, because the researcher does not interact at a verbal level, it cannot be assumed that no interaction takes place. The mere presence of an observer in the action scene is likely to affect the members' activity. Because of his unnatural, "uninvolved" position, members may be suspicious of his intentions, and respond by inhibiting their own behaviour. In short, whether he likes it or not, the martian researcher is part of the action scene.

A corollary to the problem of contamination by the martian observer is that, because he does not know members'

meanings, he has no knowledge of whether or not his subjects are aware of his presence, or whether they are sufficiently perturbed by it to alter their normal pattern of behaviour. Absence from involvement then, will mean that the researcher is unable to assess his affect on the situation.

Most students of social life accept that both the totally involved, and the totally detached research position have severe limitations for the participant observer. As a result they adopt a compromise position. Gans (1968) has described such a position as being "marginally involved". The marginally involved researcher is required to adopt a formal participatory role in the action scene, but without succumbing to the emotional involvement which normally accompanies participation. Gans (ibid.) says this approach requires the suppression of personal interests in order to free the researcher to observe meanings from a position of neutrality. However, the marginally involved position, while it allows access to some meanings, does not allow access to the essential background meanings upon which the action is constituted. These meanings can only be obtained by a greater depth of involvement in the situation. At the same time the marginally involved position precludes the clarity of observation held by the martian position, because the researcher has to constantly turn his attention towards remaining in the unnatural position of an uninvolved participant. The strains of attempting to suppress normal anxieties in order to remain "neutral", in addition to diverting his attention from the action, may also affect those he is researching. The result may be to increase, rather than decrease the problem of contamination.

Finally, the marginally involved position fails to resolve the interpretation/reportability problem. While it

is possible that the researcher will not have his perspective of the action scene "coloured" by the members' influence, he may still incorporate bias into his research material through the spuriousness of his assumed position of neutrality.

The marginally involved position is supposed to be so unobtrusive as to allow unbiased access to meanings, but who decides what is unobtrusive in that context? Clearly this is decided by the researcher for the members. But how can the researcher know what is unobtrusive or neutral for the members, without being sufficiently involved to grasp the depth of their meanings?

Even if the neutral state could be realized in the manner in which it is theoretically conceived, it is questionable whether it would give the researcher the required information. The Chicago School have argued that the neutral participant observer will be given information which a bona fide member would not receive. Surely, however, the giving of information in this way constitutes an unnatural event for the members, representing, as it does, a departure from their normal pattern of behaviour. Not only is the giving and receiving of such information likely to affect the members' normal activity, and thereby be contaminatory, but also, any impression formed on the basis of information so gained must be distorted.

It appears from the foregoing analysis, that none of the three traditional interpretations of participant observation is adequate to serve the research sociologist. The native position gets the meanings but fails to see them; the martian position sees meanings, but not those of the members; and the marginally involved position, partly sees partial meanings and is biased in reporting what it sees. However, a fourth approach is available if we make problematic

the implicit assumption of participant observation technique, and it is my belief that this approach largely overcomes the difficulties associated with traditional approaches.

The assumption of almost all discussion on participant observation technique, is that it is impossible both to be involved ^{totally} and to observe ^{totally}, because to do one limits the possibility of doing the other. Indeed, as we saw above, this assumption is the crux of the observability problem. Suppose, however, that we make this assumption problematic. Suppose that somehow it was possible to become ^{totally} involved and at the same time, to observe ^{totally}. In other words to be a native-martian. If this were possible, we could arrive at the ideal of participant observation : total observation of members' meanings.

It is possible to achieve such a position by separating our native, involved role from that of our martian, observing role. The insight which renders this a possibility is that we are not limited to only one occurrence of an action scene, but can have two. By the medium of sound-film or video recording, we may reproduce any number of occurrences of the same scene. Thus, we are able to have an "action replay" of the action scene, at a time after our involvement in that same scene has ended. While engaged in the action we allow ourselves to become totally involved, to become a native member. Unlike the marginally involved researcher, we do not continuously attempt to remain aware of the meanings that we encounter. Rather, like the members, we take these meanings for granted. At the same time, however, we allocate the role of total observer to the efficient, all seeing technology of sound-

film recording. When the action scene subsides and the members disperse, the researcher can return to the role of research sociologist. He replays the film or video-tape, and observes himself in the action scene. He is now in a quasi-laboratory situation and can engage in total observation of himself interacting with others, and can analyse the meanings which he was taking for granted while in his membership role. Because he is both observer and member, he can describe those meanings in a way which neither a reporting member nor detached observer, could possibly do. Moreover, transition from native member to martian sociologist is unlikely to pose a substantial problem. The tension between different involvements and different perspectives make for better understanding of the background meanings when these are recalled in the act of analysis of the "action replay".

In addition to solving the observability problem, this method also overcomes the problem of contamination. It cannot occur because, as a native to the action, the researcher is not attempting to maintain an objective awareness of meanings, nor is he attempting to arrive at a position of neutrality. The expression of his likes and dislikes, his personal views, and emotional feelings, does not constitute contamination but is the substance of active involvement of a normal member. Indeed, it is this very involvement which establishes, and is the authenticity of the researcher's membership.

This does not mean however, that the researcher's presence in the action scene will have no affect. Obviously interactions with him that were not taking place before, mean that the situation has changed to include him, but because of the nature of his presence as a member, these

interactions will be member-member interactions rather than researcher-member interactions. Because the researcher is a new member of the interaction scene, the situation has changed, but this change is not contaminatory, for the action scene is, of necessity, dynamic, on-going, and open, rather than being static and closed. New members come and old members leave. Such change is a normal feature of the action scene.

Biased interpretation/reporting is minimized by this method. Meanings of members are observed, not inside, but outside the action scene, in the situation of "action replay". The researcher is not therefore influenced by the presence of members. Indeed, the quasi-laboratory situation, provided by the action replay, affords the researcher almost total objectivity.

Finally, the method allows us to eliminate the problem of verstehen validity. Three checks on validity can be made. Firstly, by comparing the treatment of the researcher to the treatment of other members, it can be seen whether or not the researcher has gained access to the action scene. If he is not allowed to play a normal member's role he is not sufficiently immersed in members' meanings. To repeat Goodenough's (1966, p.36) statement, a researcher will know whether he has gained access to members' meanings when he has learned "whatever it is he has to know" in order to "pass" among natives as, for all practical purposes, "one of their own kind". Secondly, the researcher is able to compare his commonsense understanding of the action as a member, with his sociological understanding of the same situation as an observer. Douglas calls such a comparison the "member test". Thirdly the method enables us to "feed

back" understandings gained through the analysis of the "action replay", into the action scene, to test whether they are confirmed by the members.

I believe that the method suggested here, considerably resolves the problems which traditionally are associated with participant observation research. However, it may stimulate certain moral objections held by sociologists. Should it do so, the researcher is constrained from making strong moral complaints about the behaviour he encounters. If he does, members will become exceedingly suspicious of his intentions. Indeed, Henslin (1967) has argued that the problem of making moral decisions in the field should be answered according to the researcher's own morality. It seems reasonable to suggest that in cases where preliminary study reveals behaviour that the researcher finds particularly objectionable, he chooses a different field of study.

The suggested method also places constraint upon the researcher's presentation of self in the action scene. Clearly he cannot engage in overt research, as this will undermine the basic method of going native. Similarly, the video-recording of the action scene must be concealed from the members. In short, the research must be fervently covert. As Humphreys (1970) found in his research on homosexuality, it was impossible to announce that he was a sociologist because the mere fact of announcing anything was abnormal to the situation in which very little verbal communication occurred.

There are two kinds of consideration with respect to covert research : (i) reliability/validity of the information gained ; and (ii) morality. The reliability of covert research is challenged by supporters of overt

technique. Followers of the Chicago School, criticize covert research for failing to gain access to information which members would be willing to expose to a trusted individual who is not a member. They argue that covert research is restricted from gaining this kind of information because to ask the necessary questions would run the risk of "blowing one's research cover". However, once trust is established in an overt research situation, the researcher is free to ask most questions without fear of jeopardizing his research. As argued above, it is questionable whether the kind of information obtained from the overt situation is desirable. Critics of overt research argue that the information gained in confidence with members may be distorted. Distortion may arise as a result of members engaging in "front management", with the intention of deliberately misleading the researcher. Alternatively, the members may unintentionally misrepresent the nature of their enterprise through self dramatization or producing evidence for the researcher. Indeed, Henslin (1967) has argued that overt researchers can never be certain that they have penetrated the fronts of the members, or even whether they have established trust with them.

Moreover, there is a case for arguing that overt, rather than covert research, restricts the information available to the researcher. This is because announcement of the research identity inhibits the normal interaction of the members. Humphreys (1970) in his research on homosexuals, ^{behaviour} has said that, even if it were possible to get two persons to perform a homosexual act specifically for you, how normal would such a performance be? He asserts that there is only one way to study behaviour held to be highly

discreditable, namely to pretend to be in the same boat as those engaging in it. Similarly, Henslin (1967) argues that the only way to obtain this member-only knowledge in such a way as to be assured of its validity, is to be a member.

A further consideration is that it is sociological arrogance to suggest that overt research is invalid because the revealing of one's research identity will affect the action scene. Why should the presence of someone whose primary activity comprises drawing on the lives and cultures of others for the purpose of "scientific research", be important enough to the members, to disturb their everyday activities? The point is that it is not so much a change in members' activity that will occur, but that these activities will not extend to include the researcher and may be directed towards positively excluding him. Consequently, the researcher, whether he likes it or not, may be forced into the position of a mere observer. Moreover, it is plausible to assume that in cases where behaviour is held to be discreditable, members will be more sensitive to a public enterprise like sociology and as a result be wary of its practitioners.

Finally, whether or not the information obtained from the action scene is distorted, depends upon the way it is used. Clearly no information is distorted. Information is information is information. Distortion occurs when information is interpreted and misrepresented. The usual way that this occurs is through claims being made that it relates to more than it does, or in other words, something that it does not. In terms of overt research, we can claim that the information obtained is a product of member-researcher interaction, and not member knowledge. We must

accept that in overt research, our research product is not of the members' action scene alone, but includes the research scene. As such, it cannot be assumed that we are neutral and therefore unobtrusive. In short, the researcher cannot assume himself away.

The other kind of consideration concerning covert research, is its morality. The morality issue rests on the fact that the researcher makes a continuous decision not to tell members his true identity. Erikson (1967) has argued that research of this kind is morally unacceptable to sociologists because it represents an invasion of privacy of those studied. By entering a private setting in a disguised role, sociologists potentially cause discomfort to members of the action scene. He concludes that in addition to being unethical, the misrepresentation of identity involved, may jeopardize the profession of sociology, making it difficult to do similar research again.

However, the ethical criticism addressed to covert research assumes the existence of public and private domains. It cannot be denied that there are areas which each of us perceives as either "public" or "private". However, it cannot be assumed that what each individual takes as "the" public domain is similarly constituted, and this applies even more to their private domains. As Denzin (1968) says, to categorically define settings as private, completely ignores and assumes the perspective of those studied, and supplants the sociologist's definitions of the situation, for their own. In certain circumstances, for example, in deviancy research, we may expect a coincidence of members' and researchers' definitions of public and private domains. In Humphreys' (1970) study of homosexual ^{behaviour} we can expect the

domain to be private. Indeed, Humphreys (ibid.) portrayed a scene where, in order to maintain the separation of this activity from their "normal" lives, members participate in the homosexual encounter at a level of impersonal involvement. Thus we can expect that the more discreditable an activity is held to be, the more members will define the domain as private, on the grounds that they have more to lose through it being made public. Before long however, we will require to know exactly what members see as private, and what they see as public. Such information can only be obtained by covert technique. The announcement of a research identity is likely to have the effect of rendering private domains even more private, and as such, precluding them from the researcher's reach. Once such an announcement has been made, the researcher cannot know whether he has knowledge of all that is private to the members.

The charge of misrepresentation of identity is also refutable. The pertinent question to ask of such criticism is, "What does misrepresenting identity mean?" As Humphreys (ibid.) says, once a role is adopted in the action scene, it is difficult to see how anything can be misrepresented. For the purpose of the interaction, you are your presentation of self. Indeed, the explicit aim of the research method suggested here is not to misrepresent your identity, but to transform it into that of a member. Denzin (1968) argues, the problem is not simply one of whether or not to wear a mask, since all interaction involves mask wearing. Rather, the problem is one of which mask to wear.

The criticism, moreover, cannot be merely that the researcher has a concealed identity. If this were the case,

it would be unfounded, since all members of the action scene conceal some measure of identity. Humphreys' subjects, for example, concealed all of their normal identity. Are they also guilty of misrepresentation of identity? The answer must be that they are not. The difficulty rests with the view that it is immoral to conceal the sociological research identity. This is held to be so, because it is the purpose of persons of such identity to reveal members' identities to others. Thus as Henslin (1967) argues, it is not covert research method itself that is immoral, but the result of it. The act of revealing the content of an action scene to others, cannot be a priori, immoral. : that which is told in the public of an action scene is public knowledge. Rather, what is non-transferable knowledge is that told in the private setting of the action scene. But this again, is not a question of immoral research method, for just as any person, the researcher keeps confidences. Thus it is an issue of one's own morality. Harm can come of broken confidences, whether these are broken by a sociologist, or anyone else.

Finally, the implication of the critics of covert research is that overt research is moral. Such a position, however, pays no attention to the understandings of research by the members. The "openness" of overt research is an unknown quantity, as each is likely to hold a different definition of what constitutes research. Roth (1962) has said that in all research there is some degree of secrecy, as it is not possible to tell the subjects everything about the research, if only because we do not know ourselves. Henslin (1967) argues that to enter an action scene as a member, is to declare no research purpose. However, if a moral stance

were taken, the researcher would have to continually reveal his identity : "I am a sociologist. I have to warn you that anything you say may be taken down and used as evidence about you.". Indeed, Douglas (1972) has said that the openness of research is even questionable in cases where a researcher has previously been a member of the action scene and has since become a sociologist (Becker, 1963). He says this amounts to covert research, dodging the moral issue.

The suggested research method requires the use of covert sound-film or video recording, and it is held that this too is immoral. In his research on cab drivers, Henslin (1967) used a tape-recorder without the knowledge and consent of those recorded. Whether or not such a method is immoral surely depends upon how the tape-recorder or sound-film-recorder is used. If it is used to give an exact reproduction of the action scene, as it was with the researcher present, I believe it is no more moral than obtaining information by listening and remembering. Indeed, in such a case the recorder is only being used as a more efficient supplement to the human memory, itself liable to distortion by omission, addition, or projection. Use of recording equipment would however, be morally dubious, if one were to obtain information from it, not freely given to the researcher, as for example when it is "planted" in the action scene to "bug" conversations he is not involved in.

In the next section I shall outline the application of the "action-replay" modification of participant observation technique, to the subject area of the amateur trade in stolen goods.

(C) Application of the Methodology

(i) The Original Research Plan

The methodology, discussed above, is to be applied to the interaction comprising the amateur trade, in a four stage programme of research : (a) a pilot study ; (b) native involvement ; (c) martian observation ; and (d) validation.

(a) Pilot Study

The deviant nature of the subject, its illegality ¹, and my retrospective participant observation experience (Mars, 1973), suggest that research on this subject will present certain difficulties with respect to gaining access to the context of interaction. Essentially, these arise prior to entry, and centre around deciding who are the members, and what constitutes the interaction. In other studies of deviant behaviour this does not pose too great a difficulty. For example, in Humphreys' (1970) study of homosexual ^{behaviour}, a member was anyone seen by Humphreys engaging in the homosexual act. The act took place in a "tearoom" (public lavatory) and for Humphreys, the major research problem was to find a suitably frequented "tearoom". In contrast, the amateur trade comprises a number of different activities. At a very rudimentary, commonsense level, there appear to be at least three kinds of interaction : (1) purchasing goods from persons supplying them ; (2) handling goods while they are in possession ; (3) selling goods to the ultimate buyer. Thus, unlike the category, "homosexual" which can be allocated to anyone engaging in a specific act, the member of the amateur trade may be any person seen engaging in any one of the above three kinds of acts. Moreover, each of these acts may occur in different places, such as the members' workplace, home, or place of leisure.

It would be inadequate to go to any one scene of interaction, therefore, even if such a place was known. A further difficulty with the amateur trade as a subject for research is knowing the kind of assumptions that render one available, not for membership, but merely to play a role acceptable to members.

Consideration of these problems leads me to the conclusion that a preliminary study of the area is necessary before any attempt is made to engage in the action of the amateur trade proper, i.e. as a member. For this reason, I intend to conduct a "pilot study", with the intention of finding out as much as possible about the trade in order to know where to go to find the action and of how to gain sufficient knowledge of the members' first-order constructs or meanings, so as to be able to formulate credible grounds for entry to the action scene. The pilot study will comprise three areas of overt inquiry.

The first area of inquiry will be to examine the products of the documentation purporting to describe the activity. This will be as wide as possible to include all writing and communication on stolen goods exchange at both professional and non-professional levels of operation. It will be drawn from biographies and autobiographies of those familiar with the trade, including fences burglars and thieves ; sociological and criminological commentaries ; law enforcement and legal literature ; historical commentary ; journalism ; fiction and television, plays and films. Based on the statistics available, an attempt will also be made to estimate the extent of the trade in stolen goods in terms of the annual value of goods distributed.

A second concern will be to conduct tape-recorded unstructured conversations with persons, both currently and previously engaged in the trade.² This poses the problem of where to find suitable and willing interviewees. According to Irwin (1972), this problem can be resolved by the method of "snowball sampling" or referral. Irwin (ibid.) argues that the initial obstacle in any research on criminal deviance is to meet the first criminal. He rejects the solution which Polsky (1969) offers to this problem, namely that one should, "hang around in places where criminals are likely to be in the hope of meeting one." He argues that this is both time wasting and unreliable (ibid.): "Even if one is lucky enough to meet one, and this is by no means certain, there is no guarantee that he will either be friendly or informative, let alone whether he possesses the sorts of information one is seeking." Instead, Irwin suggests that we should rely on being referred to a criminal by a friend who knows one. I will adopt this kind of approach in finding persons engaged in the amateur trade, beginning with those whom I know through past involvement in the trade. During my meeting with referrals, I intend to direct loosely the conversation in order to obtain accounts of past and present activity, how and where such activity occurs and to see whether members volunteer any moral account of their enterprise.

The third aspect of the pilot study will be to obtain information on the amateur trade from those agencies attempting to interfere with this activity, in order to prevent it. This will involve observation in Crown Court trials and magistrate court hearings, of persons indicted for handling offences. It will also entail tape-recording

interviews with police, security personnel, members of the judiciary, and probation officers, as well as members of trade protection societies. In this area of investigation, I will pay attention to these persons' opinions concerning the operation and motivation of persons involved in the trade, and the moral context in which they place the act.

(b) Native Involvement

Based on the information and understanding gained from the pilot study, I will construct a plausible role which can be adopted in a particular action scene with the object of becoming involved as a member. Unlike the overt pilot study, this stage of the research programme will be covert and, in addition, no attempt will be made to direct the course of activity in accordance with my research interest. The sole concern will be to do whatever is found to be necessary for a competent management of role skills so as to be able to be accepted as and pass for a member in any role they accept for one of themselves. However, I will tape-record all my verbal interaction with members of the amateur trade as it occurs directly with me as a member. ³

(c) Martian Observation

In my out-of-membership-time, I will analyse my own and fellow members' meanings and taken for granted assumptions as these emerge in the "action replay" of the tape-recording. I will write-up as much of this analysis as seems relevant with reference to the criteria of the members.

(d) Validation

With an understanding of the members' meanings gained from the stages of native involvement and martian observation, a covert attempt will be made to apply the "member test" : to feed understandings of the members'

meanings back into the action scene to see if they are denied or confirmed. Finally, an overt stage of research will be undertaken in which I interview members in conversation and ask them whether the amateur trade is as I understand it with respect to the meanings of members, its operation and its general constitution.

(ii) Problems and Accomplishments : The Emergence of the "Triple Sandwich" Technique.

In this section I review the areas of research attempted, the problems encountered and the emergence of the actual research technique : a triple sandwich of interview and participant observation.

(a) Literature

After an initial intensive library search through bibliographies, indexes and abstracts, I reached the tentative and anxious conclusion that there was hardly any documentary material on persons dealing in stolen goods, whether professionally or non-professionally. A substantial advance in this research area was made, however, when a letter of inquiry to an American criminologist who had written briefly on fencing, in the context of burglary (Shover, 1972, 1973), put me onto a chain of American researchers (Chappell, Walsh, Roselius, Benton, Klockars, Ferdinand, Fahey and Howard) who were studying the activities of the professional fence. Each had their own varied source of references, which they were more than willing to share. At the same time I contacted an anthropologist (Mars) who had studied pilfering among dockers and among hotel staff, and who referred me to an industrial sociologist working on fiddling and part-time dealing among breadsalesmen (Ditton).

A return to the library, armed with a different set of criteria of investigation, led me to an even greater source of material which in the final count comprised 62 works in which stolen goods is a main feature of concern and 33 works in which it is considered briefly but seriously (See bibliography).

(b) Other Contacts

A number of projected lines of research returned a poor response ; others, in contrast, were surprisingly fruitful. The B.B.C. archives department was rather less than helpful, as was Shaw "Police Five" Taylor's programme sponsors, at Scotland Yard. Scotland Yard itself was frustrating in its response, as a reply from their Publicity Branch illustrates :

I assume from your enquiry that you wish to interview officers who have dealings with the crime of receiving. I very much regret that we do not provide such facilities. Many officers would be reluctant to disclose information which is essential to them in this particular phase of their duties. There are obviously lists of convicted receivers and I am sure, that officers would have unofficial lists. (26th. September, 1973)

The Police Federation were not much more helpful with a discouraging reply which began :

We naturally try and help a student in the preparation of his thesis, but the subject you have chosen is not one that we find easy to recommend research material ... (5th. October, 1973)

while the Folkstone Trade Protection Society patronizingly informed me that :

The object of this association is to protect traders from entering into agreements or granting credit to concerns or individuals who it is considered are not worthy. It is not involved in crime in connection with stolen goods. (4th. October, 1973)

In contrast, Southern Television, B.B.C. Radio Bristol, A.T.V. 's documentary department were extremely encouraging. In particular Christine Fox was able to contribute, saying

that I was most welcome to come and review over eight hours of recordings which she had made of a family, the husband of which was serving a prison sentence for handling stolen goods. The South East London Probation and After Care Service were willing but unable to help owing to "staff shortages", whereas the Kent Probation and After Care Service were not only interested but willingly became involved and, in the end, supplied three interviewees, as well as making themselves available for interview. I also attempted to contact a number of persons, convicted of receiving, whose cases had been reported in local papers, but I invariably received no replies.

(c) Statistics

My attempt to estimate the value of goods in the stolen property market in any one year, subsided and finally collapsed as I realized that there was not only insufficient data on the values of property stolen, but, what was available, was inadequate. The statistics published in Criminal Statistics, while including figures for the values of property stolen, record these in such a way that they cannot be used to estimate the total value of property stolen. The Home Office statistics department were helpful in supplementing these figures, which for the year 1973 suggest that a total of £66m worth of property was stolen of which only £9m (14%) was recovered. However, they draw attention to the unreliability of the figures and point out that the property recovered in any one year, unlike property stolen, can be a product of thefts in any previous year. In its 11th Annual Theft Loss Survey, Security Gazette (1974, pp. 366-67) which bases its calculations on chief constables' reports, estimated the

value of property stolen to be £81m with £17m (20%) recovered for the same year, 1973. The difference between the two accounts is largely due to the limitation of the Home Office figures to England and Wales, and to their exclusion of thefts of motor vehicles. Security Gazette's computations include Northern Ireland and Scotland and also include thefts of motor vehicles, which in any one year has approximately two and one half times the recovery rate (45% on Security Gazette's own figures, *ibid.*, p. 367). However, this difference is not so significant when the figures are placed in the general perspective of property theft. Neither set of calculations include any attempt to account for the value of property stolen as a result of frauds, forgery, embezzlement, unreported theft, pilfering and fiddling. Nor do they include shoplifting losses. This is a serious omission for them to make, as in a recent report, Palmer (1973, pp. 20-22) put the annual figure for industrial pilferage at £248m and that stolen from the retail trade as £200m. Indeed, it is estimated (*ibid.*) that the official figure only accounts for 15% of all theft, leaving an unaccounted 85%. If this were not difficult enough, the statistical situation becomes even more problematic when it is appreciated that working on the official figures, as these are the most reliable, there is no way of telling what proportion of property stolen is goods and what proportion is money. If any serious estimate of the value of goods entering the stolen property market in any one year is to be made, then it is crucial to know this proportion.

(d) Courts

With the cooperation of the Kent County Council Courts Administrator, and the Clerk to the Justice of St.

Augustine's Court, I attended court cases over a three month period, in all cases where persons had been indicted for handling stolen goods. Though this period proved interesting, it was not directly very useful to my work. It related more to the activity of attempting to attach a criminal label to persons and their attempts to evade this, than to the amateur trade in stolen goods. Indeed, it was precisely the highly abstract nature of the charges which allowed the events of the offence to be filled-in by prosecutors and defendants alike, in terms of their own commonsense understandings of what goes on in such trading situations. There were some interesting comments in this context such as the judge's proclaiming of an offence as, "socially pernicious" because the more handling that went on, the more prices went up for the public; and there was the classic defendant excuse for receiving, in this case £5,000 worth of stolen whiskey : "Well I thought it was like you get so much off for dented tins of peaches at the supermarket", and the council for prosecution's interjection : "What does a dented bottle of whiskey look like ?".

(e) Interviews 1

The recorded conversations with members of the amateur trade proved to be the most useful source of material and, indeed, was the basis of the main body of the thesis. These conversations were conducted in three stages, each stage separated by a stage of participant observation, hence the "triple sandwich" technique. The recording was done by means of a small pocket cassette tape-recorder⁴ and, as will be seen, the various problems, normally associated with recording, were overcome during the research process. The interviews were generated in various contexts, some in the

members' home, some in my home, some in pubs, and others in the members' workplace.

I began the interviews in the projected way (See above, p. 32) by looking up persons I knew to be engaged in the amateur trade. I knew these persons in contexts other than as me being a research worker, and after they had enjoyed a few laughs about what I had now "got into", they were only too pleased to help me out and "do me a favour", by telling me what they did and how they did it. In this stage I interviewed ^{"Steve"} "Stan", "Roy", "Maurice", "Lucy" and obtained the interviews of "Margaret" and "Sandra" (See biographies, p.52). I overcame the difficulty of asking members whether they minded me tape-recording them, by telling them that this was normal practice in this kind of work, and that the tape-recorder was the "tool of the job". They accepted this and no one refused at any stage of the interview process. Because I knew these members on a **friendly** level in different contexts and for other reasons, I was able to judge how much the tape-recorder, and my new found concern for their trade, affected the content of what they told me. I am confident in asserting that the effect was negligible, that they were as open and frank with me on this as on any other topic they had talked about on other occasions and in the past. Moreover, because I had been in amateur dealing contexts myself, they knew that generally I "knew the score" but appreciated that I required them to tell me, in their own words and in detail, about their involvement in it. In addition, the tape-recorder itself was such that it complemented the theme of unobtrusiveness which the conversational interview technique commanded. ⁵ There were, however, two substantial problems which I had left unaccounted in my research plan. The first concerned the matter of

referrals. While, for the research purpose, I needed to be introduced to rather more members of the trade than I knew to be personally involved, I could not in the context of the conversational chat, ask them to introduce me. By the time they had been through an extended chat about the trade, I felt and I knew they would have felt, that they had given enough. It would have been an affront to their hospitality, and a devaluation of our relationship for me to have asked any more of them. While they were quite prepared themselves to assume the risk of talking to me about what, after all, was a legally sanctionable activity, I would have been stretching the bounds of our relationship too far, to ask for referrals of people they knew, but I did not. It would not only have been asking one favour of them, but by asking them to become indebted to others, it would have been asking two. This problem, immense though it seemed at the time, was an invaluable development as it forced me to go in search of persons outside the context of my friends, to interview those involved in other contexts and in separate networks of relationships. As a result, I was able to validate the meanings, understandings and information drawn from one context against those of another, and to take only those areas of similarity as illustrative of my account of the trade.

The second problem with the first stage interviews was far more serious and led to an unpleasant, though not useless diversion in my research, which resulted in my restructuring the original plan and replacing it with the "triple sandwich" technique, but at the same time to an abandonment of the native-martian participant observation which should have formed the hub of my research. This problem stemmed largely from the friendly relations with the

first stage members. They were, during our conversations, very willing to talk about what they did, but they constantly dismissed this as being only small-time stuff, as not being a fraction compared with what some people were doing. I was interested in what they were doing, in the part-time amateur, or occasional non-professional trading activities of everyday, ordinary people. They, however, showing natural friendly concern for my new found interest were sure that I must "go to where it's really at." As "Maurice" said during a pub conversation: "Let's face it Stu, if you write a thesis about factory receiving, it's not going to turn anybody's mind on, is it?". Unfortunately, I submitted to this pressure, and was diverted from the vast wealth of material they had already given me about their activity, and turned to search out the "big time operators". Taking their advice about where they thought I should go, I decided to attempt to get involved in participant observation in the market:

Have you ever heard stall-holders say, 'Come on it's all crooked. It's all stolen.' That gets people goin', see. I bet if you got a stall in the market and said, 'Come on this is all stolen property here', you'd see what their reaction would be, and you'd soon see how a few things went on.

(Dave)

(f) Participant Observation 1

The local market was held once a week on a Wednesday. I had been the Wednesday before and spotted what looked a likely stall selling new household and electrical goods. As I waited for the market's return I planned my research cover. I decided that rather than change my established student image, I would incorporate this as a legitimization of my cover. I judged, wrongly in the event, that I could most successfully sustain the cover of a student who had dropped

out of University and wanted to learn to be a market trader to make some easy money. Just as real University students don't just drop out of University, so market traders don't just make "easy money". Nevertheless, to my naivety and enthusiasm, and despite my methodology, this seemed a very "tight" line and it was with it that I was carried into my first taste of participant observation.

I stood among the buyers, as I had done the previous week, observing the market trader's selling technique. He was using the auctioneering method, which involved a fast patter aimed at selling lines, "quickly and sharply" by offering :

These Russian multiwaveband portables. They're very hot so I'm not going to ask you to pay trade price. How much less? No not a pound, not three pound, not even five pound. I've got six left and I'll do them specially for you at half the trade price; that's a tenner each. Come on. Come on. Christ, have I got to give them away to get rid of them. I'll tell you what, the first six people with their money in their hand can have them for eight quid a set. There's one over there. That gentleman over there. Yes madam eight quid, thank you. Thank you Sir. Come on quickly and sharply. Lets be having you.

Of course the radio's were not stolen, and they are not twenty pounds wholesale but eight pounds fifty from a mail-order company, and the last six were the last six on show; he had two case loads in the van. Moreover the first buyer was planted to come in when the eight pound price was reached. But I did not know that then, and what is more, neither did the customers.

After a while, he stopped trading, because it was so cold that he couldn't retain a large audience for long enough. He went over to another stallholder, using the same selling technique to off-load blankets and sheets, and I went up to both of them. I started chatting about the weather and about why people were not staying. They were very suspicious and the one I had been watching, although I didn't

know it at the time, thought that I was a new member of the local CID. To try and put them at ease, I told them that I intended opening a stall and that I was interested in learning the auctioneering technique. They asked me what I did, and I said, "casual work". Driven on by enthusiasm and the fact that they had already said that the radios were "hot", I asked them where they got their stuff. One replied, "Most of it is knocked off. The radios are very hot." I asked the one I'd watched where the bloke was who let you have a pitch. He pointed to a small hut, while the other one said I could come on any pitch. I left them and went over to the hut, thinking that I had handled the situation reasonably well.

Inside the hut, I found the market manager and I asked him about getting a pitch. He told me that I must register with him as a casual trader, which meant giving my name and address and details of what I was going to sell. I said I had a source of cheap Afghan coats and he said he would place me away from other traders who were selling the same thing. I went home for lunch.

On returning to the market in the afternoon, I went up to the traders whom I had seen in the morning and as I got near, the quieter one called me over. When I reached the back of his stall, he and his friend totally ignored me. Then after about five minutes of me standing there trying to look interested in what they were doing, he looked up and said, "Are you still walking around here ? " I told him that I had been for lunch and again he asked me where I lived and what I did. I felt that the situation was deteriorating so I decided to unload the full cover. I told him about dropping out of university, but my reply was

completely ignored and interrupted by him asking other questions. Whenever I answered, they were either talking among themselves or asking me another question. In most of the questions, I didn't understand what they wanted to know. For example, one asked, "Do you know Pinocchio ? " The trader asking the questions kept a deadly serious face, while his friends fell about laughing. In fact everything I said seemed to provide a great source of amusement. Then he asked, "What you want is a job, is that right ?" This time he did not turn away and do something else but stared me straight in the face. I replied, "Well to be honest ...". At this point he interrupted me : "Honest, that's it honest. That's just what we want someone who's honest. " The heavy sarcasm sent his friends reeling with laughter :

What good would you be to us ? Could you go down to the 'wholesalers' with him and knock-off a load of gear ? That's it see. Can you drive ? Well I don't know what good you'd be to us. Can you fix him up Mick ?

Another, older, more seriously poised trader came over and joined the group. At first he listened quietly as the others continued their fun at my expense. Then he asked me what I wanted to do, at which everyone went quiet, and I thought at last I'm getting somewhere. Again I repeated the cover line about dropping out of university and setting up a market stall. He enquired, "How much money have you got to invest ?" I had given no thought to this and hurriedly replied with how much I thought I could afford out of my S.S.R.C. grant. "Fifty pounds", I replied. "Look", he said getting violently annoyed "can I tell you something ? You don't mind do you ? I'm going to tell you what I think, is that alright ? You won't get upset will you ? With fifty pound you'd be better off renting a flat out in the West End and hiring out your arse." There was raucous

laughter from the others. He continued : " You come up here talking like a right cunt ... The best thing you can do is go and get a job somewhere. Now fuck off. " I left.

After experiencing my first attempt as a researcher to get involved in the action, I was upset and disillusioned. Now I had ruined my chance to get anywhere in the market. What was I to do ? I went through the usual depression and decided to go back and re-examine the "pilot study" interviews (i.e. stage 1 of the actual research process) , and the market experience. I was now sensitized to three things. Firstly, I was too conscious of my research role. Had I been joining any other social grouping, I would have gone about the whole process very differently. It was no good trying to pretend to be doing something in the action scene, I had to be really doing it. At the same time, entry into any social group, let alone one engaged in devious acts, is made by introduction through someone who is already a member, not by blasting in , knowing nobody and expecting it all to happen in a day. Secondly, I had paid too much attention to the interview member's interests in "crime" and what they believed dealing in stolen goods was about rather than examining what they actually did themselves. So much was this the case, that I had lost sight of my own research subject : the amateur trade in stolen goods. Thirdly, I decided that in order to get into the amateur trade, I would require far more intensive knowledge of members' assumptions than I could absorb from a handful of interviews. As an interviewee had pointed out : " I haven't a clue how you'll get into it. See it starts in adolescence and you are trying to jump all that time where their beliefs are built up. I think the only way you'll do it is by getting a job in a

factory or something and waiting. But if you do that you'll have to be there a long time before you pick up what's going on."

In the light of these insights, I realized that I had taken on far too great a project. If I could delimit the field of study I would perhaps be in a better position to stop the research evaporating away. I decided that rather than to do a full ethnographic study, I would concentrate on a substantial preliminary study. I would drop the idea of attempting to look at the social processing of persons indicted on handling offences and devote my remaining time to elaborating as fully as possible the members' assumptions and background meanings. My attempt to become involved as a member of the market had been unsuccessful in terms of my research objective, although it had been extremely useful in terms of orientating me more sensibly towards the field of study. As a result, I decided to reconstruct my research programme to include a further sample of interviews (Interviews 2) followed up by an analysis and a report and, based upon this, an attempt to gain access to a context as a participant observer (Participant Observation 2). This time, however, my involvement in the interaction was to be at a level of member involvement, as it should have been in the first place, and to be used merely to check on the meanings elicited in the analysis of interviews from stages 1 and 2. I then planned another batch of interviews (Interviews 3), asking deeper questions about the trade, based on verified meanings gleaned from the previous stages of interview and participant observation. Finally, I planned a concluding period of participant observation (3), based on a re-examination of all the interview material. Here, I

intended, not only to check out all my conclusions so far, concerning the beliefs, meanings and motivations of members of the amateur trade, but also to see if I had sufficient background knowledge of members' everyday practices to be able to "pass" as a member.

(g) Interviews 2

In this stage I recorded conversations with "Michael", "Mary", "Dave", "Jerry" and I reinterviewed "Lucy". With the exception of Lucy, who I knew as a very close friend, all these members were persons I had met in non-research contexts but who also knew me from the start as a research worker interested in their activity. They all admitted "doing a bit on the side" and all qualified what they did as "nothing much" or "not a lot".

(h) Participant Observation 2

By now, I had established that the best kind of context for gaining access to the amateur trade was a workplace, especially (though not necessarily) the kind of workplace which handled a large volume of readily consumable goods. (See Chapter 3 pp. 120-124). I chose to work as a driver/cellarman/sales assistant for a wine and spirits company. I did this part-time for three days per week over a two month period. I did not use a "cover" as such, but explained that I was a postgraduate student writing a thesis on the sociology of deviance, and with a wife and a flat found it difficult to make my grant stretch and found it necessary to take a part-time job. I deflected the potentially embarrassing question of why I did not teach as the money was far better, by saying that, owing to my experience in industry, I felt that I needed a different kind of activity to academic work, which I saw too much of

every day. This, apart from being true, had a remarkable effect on putting me in on the right side with the members of the trade. I did, however, discover the impossibility of tape recording my interaction with the members, something which I had not had the chance to try in my abortive first attempts in the market. I first tried putting the tape recorder in a bag, but found that I was never near the bag when relevant exchanges occurred. I then tried fitting the recorder in the lining of my coat, cutting a hole through which to pass the supplementary microphone lead to a place on my wrist just above my watch where the microphone was situated. This worked well until I had to start humping crates of beer and cartons of wine and whiskey up and down the cellar steps and nearly collapsed through overheating. Despite these technical problems, this was a very successful period of research and it served well to increase my sensitivity to the relevant passages of what the members had told me in the interview context.

(i) Interviews 3

In this final stage of interviews, I deepened the questioning and also attempted to broaden the interview sample to include a few members who were convicted of handling stolen goods and given probationary sentences and the reaction of probation officers to the activities of their clients. Thus I interviewed "Derek" and "Paul", and did a third interview with "Lucy". I also interviewed "John", "Ray" and "Dick" who were probationees, and "Frank", "Mr. Simms", "Mr. Morgan", "Mrs. Jones" and "Miss Style" from the probation service. The probation referrals were useful, but by now, I was experienced enough to assess that they were never free from suspicion of my motives and, with

the possible exception of "Ray", told me nothing I had not already established from my other interviews. The probation officers themselves were very helpful and, at the same time, provided some interesting insights into the motivational images they held of their clients. Derek and Paul were met in non-research contexts and knew me as a research worker interested in the amateur trade.

(j) Participant Observation 3

In this final stage of the research programme I gained part-time employment as a sales assistant in a stationers. I worked five half days a week for six weeks, during which time I put to test most of the assumptions I had drawn out of participant observation. I did not attempt to record the interaction I had with other members. I used the same research "cover" as I had successfully used before. I was able to demonstrate to myself that I had obtained a sufficient understanding of the activity to become a fully involved member of the amateur trade and to "pass" as a member after only three and a half weeks.

(iii) Conclusions and Evaluation of Triple Sandwich Technique

The triple sandwich technique which comprised the actual method of the study can be seen to have emerged from the ongoing research process. Each stage of interview provided a basis for each succeeding stage of participant observation, which in turn provided a framework of relevancy for determining significant aspects of talk from the previous interviews and to generate more penetrating questioning in succeeding interviews.

(a) Validation

At one level the method was a validating one

because by interviewing "new" persons as opposed to referrals, I was able to draw together common features mentioned by members from different networks of trading relationships. At another level, it was validating because I re-interviewed "Lucy" at each new stage of interviewing. Most importantly, however, the method itself is one of constant validation, in which knowledge and understanding gained in the interview is checked against the actual situation found in participant observation, and this in turn is fed back into the interviews. In essence, the method is no less than the 'method' used by social actors generally, in applying basic social skills to find things out.

(b) Potential for Future Research

With the information available from this study, it is now possible to carry out a full ethnographic investigation in the way that I outlined in Section B above, but which I was unable to conduct because of the absence of any groundwork. Such a study could concentrate on a detailed description of members' ways of handling, understanding and making sense of what they are doing in the amateur trade, as this is manifest in, for example, one firm. An examination of the methods used by members, by which goods come to be understood and recognized as pilferable, or fiddlable, by which they are made available to others as "cheap gear" and their ways of handling them and passing them on to others. Of particular interest, here, would be a detailed examination of the meaning of the variation in prices charged to different members of a particular amateur trading network of relations. While I have addressed all these issues, they should be pursued far deeper in the ethnographic context.

Another ethnographic study, though not one which

would need a preliminary study of the kind done here, could be concerned with how the legal label of handling stolen goods is applied to members of the amateur trade. This may show the highly abstract nature of the charge, how the jump is made from that legal label to the members' everyday activities, what sort of transformations go on, particularly in language, between the legal label and members' everyday activities in which they use a whole series of other ways of talking about the events and never use the term, "handling stolen goods", or for that matter never refer to it as "receiving stolen goods". It may reveal how, in order to make the abstract label stick, it has to be filled-in, and how those doing the filling-in, do so with all sorts of commonsense knowledge about the context of the trade, which would not be recognized by the members. In short, it may be possible to reveal the context-bound character of the actual legal labelling process, showing how, like the amateur trade it is an activity constituted by its own rules and meanings, but ones bearing little relation to those passing for the trade itself.

A third area of inquiry presenting itself as a supplementary to the above two, is the use of the ethnography as a means of making the research method available : in other words, apply reflexivity to self as a researcher, and address how it is you, as a researcher, come to make sense of that which you take for granted to be sensible behaviour or activity. This involves treating yourself as a member and doing the kind of deep reflective work on your research method, that only becomes possible after having done the ethnographic study. In short, the work can be seen in two parts. The first, the ethnography, has its grounds in the second, that is the sociologically reflective, and the

second tries to show the grounds of the first.

A final area of inquiry suggests itself : a statistical survey to gather sufficient information to enable an estimation to be made of the value of stolen goods in the stolen property market, and how this is divided between the amateur and professional trades.

(D) Interviewee Biographies ⁶

Stan is married with no children and has just bought his own house. He was born in South London, but is now living in Kent. A stonemason by trade, he has often talked of going to Rome to do restoring work. He enjoys a regular game of snooker, proudly possesses his own cue, and is well known around the local pool rooms.

Michael is married with a son. The family moved south from Hertfordshire and he now owns his own male hairdressing salon. As a top stylist with a friendly disposition, he has a regular clientele. His hobby is fast cars.

Steve, now a teacher, was an employee of a plumber, contracted to the printing trade and, as such, had access to a number of sets of people in different locations whom he met regularly. He is married, owns his own house and has no children. His wife is currently doing an Open University science course.

Frank, Mr. Morgan, Mr. Simms, Miss Style and Miss Jones are, or were at the time of writing, members of the Kent Probation and After Care Service.

Roy is married with four children and resides in a modern, detached house, with an immaculately kept garden and multi-coloured tiled patio. He is the Assistant Manager in

a photographic firm in Kent. He is a frequent party holder and also enjoys a game of golf. He once rescued me on a Saturday afternoon, when the engine of my van exploded. He drove twenty miles with a spare mini for me to use over the week-end, and I dropped him off at home later that evening.

Derek, single, lives alone in a mining community in a house which he has renovated himself from a state of delapidation. He has travelled all over the world as a tourist, using cheap air passes, "obtained" from a relative and he refers enthusiastically to the West Indies. His main interest is in industrial design and metal sculpture. In addition, he has built himself a motor cycle from many differently acquired parts. When interviewed he was "between jobs" working as a driver with a wine and spirits company.

Maurice, "jack-of-all-trades" was, before he "took off" to Spain with his go-go dancer wife five year-old daughter and one year-old baby, a print-room manager in a South London photographic processors. His colourful non-career includes, clerical worker, tube tunnel digger and freelance copywriter. He sports a deep and knowledgeable interest in the works of James Joyce. He likes to dress extravagantly, dislikes looking, "tatty like a tow rag" and sees himself as the original cool man.

Dave who is a builder, lives with Mary and believes in a firm hand and hearty roar with the children. He enjoys smoking, "boozing" and politics, and his skill in doing building conversions is apparent in the home.

Margaret was interviewed by Christine Fox. She is a housewife with two children, one toddler and one baby, and lives in Birmingham. At the time of the interview, her husband was in prison for handling stolen goods, and she

was made the subject of the Christine Fox produced A.T.V. documentary, Double Sentence. She was becoming increasingly frustrated by her noisy and demanding children and worried about her husband's morale. On Sundays she sent her sons to her mother's for a break. She wondered what her sons' attitude to her husband would be when he returned, as they had not seen each other since he was a baby.

Sandra is Margaret's next-door neighbour and she was also interviewed by Christine Fox in connection with Double Sentence. Sandra is divorced and works full-time. She is quite outspoken, independently minded and expresses no wish to re-marry.

Mary is a cleaner and lives in her own house with Dave and four lively children to whom she has a great sense of responsibility and care. She fiercely expresses her beliefs and believes in fighting for the rights of the underdog from outside the establishment. Her life is very active and she attends meetings where she is continuously fighting for her cause.

John was referred to me by the probation service. He lives in a rented house with a woman he has known for a long time. He has long and compressed institutional history. He has a vigorous dislike and distrust for the police. He is on social security and his wife works full-time.

Lucy, born in Cheshire and now living in South London in a council flat, is married with one son. She used to do part-time unskilled work, but since her son left home and got married, she has acquired a new, young outlook on life as a full-time clerical assistant, enjoying wider relationships. She likes walking in the country, takes days out in Brighton, and works hard on her allotment.

Ray was referred to me by the probation service. He and his wife live in a council house and both work full-time. He is a lorry driver with a concrete firm and, in his spare time, is known for doing "odd jobs" for people. He enjoys tinkering with his car. He once returned from a "job" and his wife ordered him to take the stuff back. He reflects that it was harder to put it back than it was to get it out. He prefers to be in control of his probationary situation and is obsessional about being the one who sets the times of meetings and so on.

Jerry is young, single and fancies himself as a ladies' man. He works for Michael as an assistant hair stylist.

Paul is an ex-director of his own firm, which sold computerized direct mail as a service. He began his firm after he had been made redundant when his original employers went bankrupt. He took a financial risk and bought some old addressing equipment from them and set-up in business, ploughing his earnings back into the firm for the first year or so and worked an eighteen hour day for a period. The business expanded and established premises in Cambridgeshire. As a majority shareholder, Paul celebrated his success with a new detached house, a boat, a Range Rover, a Jaguar and a Hillman. He also bought a flat in South London where he now spends most of his time. He has recently pulled out of the business and taken-up bus driving while he awaits his permit so he can emigrate to South Africa.

Dick was referred to me by the probation service. Originally, he wanted to join the merchant Navy. He has just started a regular job and also does voluntary work where he is a committee chairman of a local community youth group.

Chapter 2

THE OTHER SIDE OF THE FENCE : A CRITICAL
ANALYSIS OF THE CRIMINAL IDENTITY
"PROFESSIONAL FENCE"

THE OTHER SIDE OF THE FENCE : A CRITICAL ANALYSIS OF THE
CRIMINAL IDENTITY "PROFESSIONAL FENCE".

"The mistake is to assume that men are as sociologists have typically described them ..."
(Michael Phillipson, Filmer et.al., 1972, p. 155)

This chapter is primarily concerned with how commentators have interpreted the activity of persons who purchase stolen goods. I will endeavour to show that documentation of the receiving enterprise has been coloured by its authors' concern with the illegality of a component of the activity and its relation to the structure of property theft. I shall argue that, in their efforts to do something about property theft, commentators have conceived, constructed and elaborated a false identity of the professional fence, and in doing so, have distorted the nature of the enterprise in such a way as to miss what is essential to its constitution : its human content.

(A) The Historical Debate : Two Conceptions of Receiving

Despite the relatively scant attention sociologists and criminologists have paid to fencing (Chappell and Walsh, 1974a, p.485), there has been a surprising amount of commentary asserting its importance (See bibliography). An examination of this reveals that the importance has been conceived in two different ways. In one, the receiver is seen as functionally supportive of property theft ; in the other, he is seen as operationally central to it. I will refer to these views as "passive" and "active" respectively.

In the passive view, the receiver is held merely to engage in activity which assists the thief. He is the traditional "underworld" figure supporting the principal felon who is seen to be the thief. His support ranges from

providing a house of refuge, to the conversion of stolen property into cash. In contrast, the active view sees the receiver as the main protagonist in the operation of theft. It is he, rather than the thief, who plans instigates and completes the process in which theft is viewed merely as a part of a business operation, and in which the thief is little more than an instrumental employee of the receiver.

Both the active and passive conceptions can be traced in the literature at least as far back as the 16th century. Thus, in a tract on "cony-catching", Greene (1591, p.171) the dramatist said :

Now these lifts have their special receivers of stolen goods which are of two sundry parties ; either some notorious bawd in whose house they live, or else they be brokers, as pernicious as the lift. Thus are these brokers and bawds as it were, efficient causers of the lifters' villany, for were it not for their alluring speeches and their secret concealings, the lift for want of receivers should be fain to take a new course of life, or else be continually driven to great extremes for selling his garbage.

However, it was the passive conception of the receiver which informed the cant expression "fence". In its basic sense, the word fence is a verb describing the act of selling stolen goods to a receiver (Partridge, 1968, p. 542). It is derived from the Standard English, "to protect", as in the word "defence", and represents protection for the thief against being caught in possession of the stolen goods.

Moreover, in law the passive conception of the enterprise was the dominant view. Concern for the support given to acts of theft was the original reason for the formulation of the receiving law. As writers (Hall, 1952, p. 52 ; Radzinowicz, 1956 ; Bellamy, 1973) show, while the origin of this law lay in the laws of Ine (690 AD) against harbouring stolen cattle, it was with men rather than with goods, that the law of receiving eventually came to fruition.

Thus in 1602 it was not illegal to receive goods, but an offence to receive the felon. Until 1691, under Common Law receiving was a misdemeanor punishable by a fine or whipping. In that year a statute made the receiver an accessory after the fact and liable to branding, whipping and/or seven years transportation (Howson, 1970, p.36). Indeed, up until 1702 prosecution of the receiver was not possible unless the receiver was first apprehended and then convicted. It was not until pressure was exerted from law reformers like Colquhoun (1795, 1800) that in 1822 (Tobias, 1974, p.130) an Act revised in 1827 (Act 7 & 8 Geo. IV c 29) made provision for the independent trial of the receiver. Though, the accessory theory was still in vogue, it was recognized that the crime was great and the offence was made a felony regardless of the arrest of the thief (Hall, 1952, pp. 55-58). The dominance of the passive conception was none the less so great that, even though striving to change the law hopefully to reduce property theft, Colquhoun (1795) in his major treatise, could only see his characterization of the enterprise as far as reflecting about the thief's dependence on the receiver. In an often part-quoted passage he says (*ibid.*, p. 289) :

There can be little hesitation in pronouncing the Receivers to be the most mischievous of the whole ; inasmuch as without the aid they afford, in purchasing and concealing every species of property stolen or fraudulantly obtained Thieves, Robbers and Swindlers, as already observed, must quit the trade, as unproductive and hazardous in the extreme. Nothing therefore can be more just than the old observation, that, "if there were no receivers there would be no Thieves"- Deprive a thief of a sale and ready-made market for his goods and he is undone.

There is however, an inherent paradox in the formulation of this conception : while the thief is supposed to be dependent upon the receiver, he is, at the same time assumed to engage in his theft activity, independently of him.

But if the thief is assumed to be independently motivated to theft, and if he is held to be a priori a thief, then he will steal irrespectively of whether receivers exist or not. Thus it is fallacious to argue that eliminating the receiver will result in a major reduction of theft, let alone to say it will, "absolutely cease to exist" (Colquhoun, *ibid.*). As Klockars (1974, p. 165) has said, if all receivers were to disappear, many thieves would continue to exist by shifting their stealing to non-receiver-dependent lines, such as thefts of credit cards, cash, cheque books, or goods for their own consumption, or even by selling stolen property to unsuspecting and unknowing receivers.

A recognition of this possibility may have been implicit in nineteenth century dissent over demands to concentrate on the receiver. In his review of the London Police Establishments, Thomas Dudley (1828, p.39) wrote, "The common phrase, 'if there were no receivers there would be no thieves', should be quite reversed". The same sentiment was echoed by law reformers and police of the same time (Anonymous, 1832 ; Chesney, 1972, p. 219) who believed that concentrating crime prevention efforts on the receiver was a futile exercise which actually hindered rather than helped the control of theft, as it re-directed the flow of stolen goods down new and undiscovered channels.

If however, it could have been shown that those who engage in theft are not a priori thieves : if it could have been established that the motivational context of those engaged in theft was related to what receivers do rather than to any independent factor, then supporters of the, 'if there were no receivers there would be no thieves' argument would have had a case. Indeed, evidence was available to substantiate such a relationship, for as early as the

eighteenth century, the activities of Jonathan Wild could have revealed to contemporary commentators that the receivers role in the structure of theft could be more than functionally supportive.

According to authorities (Howson, 1970 ; Chappell and Walsh, 1974b ; Klockars, 1974), Wild was without a doubt the most powerful and prominent fence in history. He is reputed to have controlled the London Underworld between 1715 and 1725. Through an initial period of association with thieves, prostitutes and in particular, the Under-City-Marshall-cum-extortionate-fence, Charles Hitchin, Wild became aware that there was money to be made from stolen goods. However, where Hitchin's system had been no less than a protection racket, Wild saw working with stolen goods as a business. Wild's business comprised the arranging for the return of stolen goods to their owners for a small fee and "no questions asked". His activity can best be understood as the management of two sets of opposing images which he played off for his own ends. Initially, he empathized with the thieves' situation, deploring how they were being unjustly treated by fences. At the same time he empathized with the customers' situation of losing their property. For the thieves he promised higher rates for stolen goods and better organization ; for the customers, the return of their "lost" property. To satisfy public opinion Wild concealed his fencing activity under the guise of a Thief-Taker, a role which simultaneously gave him the power to control the thieves who worked for him, and those who were unwilling to enter his system.

All the while, thieves and customers saw him as a benefactor, Wild reaped success. However, the precariousness of his position became both apparent and consequential as soon

as each suspected him of being in league with the other. At once, Wild became the visible, tangible ambassador of the enemy. Public opinion was lost and both parties moved in for the kill. Though one of Wild's own thieves made the first attempt, it was an interpretation by the propertied classes of an already existent Act of 1718, which in 1725 sent Wild to the gallows. ⁷

From Wild's death, the active conception of the receiving enterprise could have become firmly established. It did not. Instead, documentation and fiction portrayed Wild as exceptional and unique. Contemporary commentators failed to perceive that the practices he used, were not exclusive to him but represented a behavioural option open to anyone with access to a source of stolen goods. As Howson (1970, p.283) has said, "Just though it might have been, Wild's death taught no lessons, brought no reforms, and alleviated no suffering".

Despite the dissenters, nineteenth century commentators were aware that the receiver did other things besides passively purchase stolen goods, but they did not relate this to the popular or legal conception of the enterprise. Thus in fiction, the character of Fagin in Dickens' Oliver Twist (1837) and the character of Aaron Weech, the coffee-shop proprietor, in Morrison's Child of the Jago (1896), portrayed how a little investment can place neophytes in the receiver's debt from where they could be trained and groomed in the purloining art. These characters were born out in reality as the descriptions of Tobias (1974), Wakefield (1832) and others (Lawes, 1936) show. The position was summarized by W.B. Neale (Tobias, 1972a) writing on juvenile delinquency in Manchester in 1840 :

The juvenile delinquent is in great measure in the power of the proprietor of the lodging-house, the spirit shop, or that in which property is received - who for indemnification of the lodging, food and liquor, or money given in advance, stimulates him to fresh plunder, the greater proportion of which is appropriated to themselves.

Nevertheless, despite this awareness, the active conception of the enterprise has only recently caught the imagination of commentators sufficiently for them to use it in their attempts at reform. Not until the first quarter of the twentieth century was an explicit attempt made to establish a conception of the fence which viewed him as the principle felon in property theft. When it came, the active conception had two aspects. One was the observation that the receiver was not merely a tool of his supplier, a section of the underworld offering the services of support and protection to the thief. Rather that he was a trainer, recruiter, organizer, and controller of thieves. Thus in the first ever work entirely devoted to receiving stolen goods, the Prison Committee of the Grand Jurors of New York County (1928), described the fence as, "the hidden force which foments organized crime against life and property ... who buys and sells stolen property and cold-bloodedly recruits criminals from our socially wayward delinquent classes", who as another writer of the period said, (Harrington, 1926, p.3) : "...in all property theft transactions is the invisible master of the show, pulling the strings which move the puppets of crime".

The other way in which the active conception came, was the observation that theft was the start of a business activity more appropriately described as dealing than receiving. Though receiving as a business had been implied in the nineteenth century classification of receivers by occupation (Colquhoun, 1800, pp. 192-95 ; Anonymous, 1832, p. 491 ; Mayhew, 1862, p. 305), it was not made explicit until

in a discussion subtitled, "The business of Dealing in Stolen Commodities", Jerome Hall (1952, p.155) criticized the legal conception of "receiver" as being inappropriate for the contemporary criminal activity. He said the laws, "select as crucial, one small segment of the socially significant behaviour, namely the receiving which is not even the most important characteristic of this type of behaviour".

Essentially the fence was seen by Hall as a dealer to whom buying is only one small part of his activities, just as with any merchant. Secondly, Hall argued that the traditional law did not differentiate between the behaviour of non-professional offenders, and that of the dealer - a distinction which he says is essential.

The most recent research elaborates this interpretation established by Hall and his contemporaries. For example, Chappell and Walsh (1973, p.37) argue that the conventional view of theft, in which efforts are exclusively concentrated on the thief, yields a myopic view of the theft process, which draws the boundaries of crime too tightly around that individual. They maintain that theft is only the beginning of an intricate process in which stolen property is acquired, converted, redistributed and reintegrated into the legitimate property stream. They call this the "Stolen Property System", or "S.P.S." and say of the fence :

This actor, completely ignored by the conventional view of the theft, has been shown to be more than an innocuous mechanism by which the thief converts property to cash. On the contrary the criminal receiver is often the planner, the initiator, and the contractor for the theft Once we have seen the fence as the author of both the incentive and the opportunity for theft, we can appreciate more fully, the compelling nature of his relationship with the thief. The thief becomes little more than an instrument of the fence - a highly visible but relatively minor cog in a gigantic distribution circuit. This should also tell us why our efforts to combat theft by concentrating on the minor character who is the thief have been less than successful. In doing so we have concentrated upon

eliminating the most easily replaceable functionary in the S.P.S. without in any way dampening that systems incentives ; altering its opportunity structure ; or hampering its ability to dispose of stolen property rapidly and efficiently.

The twentieth century, then has seen the active conception of the receiving enterprise crystallized as the dominant view. However, during the course of the historical debate, an identity of the fence has been constructed which serves to illustrate, dramatize, personify and focus attention upon, the conceptual position. In attempting to establish the central role of receiving in the structure of property theft, what those practising fencing do, has been lost to what reformist commentators believe they do. In the next section I will examine the nature of the identity they have drawn out.

(B) The Professional Fence Identity

A common feature in all presentations of the fence is that he is motivated by a desire to make money (Chappell and Walsh, 1974a, p. 487 ; Roselius and Benton, 1973, p.180 ; Klockars, 1974, p.77 ; Rogers III, 1973). Most commentators recognize that money is made through the operation of a two stage transactional process, in which the fence first procures the goods from legitimate owners via thieves, and second, returns them to legitimate circulation via honest citizens. Perhaps the most explicit statement of this is Chappell and Walsh's (1973, p.9) "Stolen Property System", which they define as, "that set of individuals and their interactions which locates, plans, facilitates and executes the extraction of goods from one owner and its transfer to a new owner." I will examine each of the two stages in turn.

(i) Transaction I : The Thief-Fence Relationship

In the context of the first stage of this process, commentators are greatly concerned with the extent to which the fence incites persons to theft, for it is the degree of incitement that determines whether or not he is the principle felon. For some the mere existence of the fence as a means whereby the thief can convert his booty into cash, is sufficient an incitement. Shover, (1972, p.545 ; Barnes, 1973, p.155) for example, says that a re-evaluation of the risks involved in criminal activity which itself is an important escalating career contingency, is achieved merely by meeting the fence and concluding a successful transaction with him. For most recent commentators, however, the fence is seen as more directly, indeed, actively facilitating a person's involvement in theft. From my examination of the documentation (See especially, Shover, 1972 ; Roselius and Benton, 1973), I have identified three kinds of facilitation mentioned by commentators : (a) operational; (b) social welfare; and (c) recruitment and socialization.

(a) Operational Facilitation

One means of operational facilitation is for the fence to place orders with the thief for various goods to be stolen. This is frequently reported (Jackson, 1969; Sutherland, 1937; Cameron, 1964; Martin, 1952; Mack and Kerner, 1974, 1975; U.S. Select Committee, 1973), when commentators wish to illustrate how, rather than being disorganized and impulsive, thieves have prearranged for the disposal of the goods before they are actually stolen. According to Chappell and Walsh (1973, pp.34-37) who describe this configuration as the "production to order model", no activities related to theft are initiated until an order for

the merchandise has been received.

Operational facilitation is also held to occur through the fence supplying information to the thief about persons who would make potentially fruitful theft victims. Thus Chappell and Walsh (Ibid., pp.23-24) say that often, by virtue of his business or occupation, the fence is in a position to know individuals who possess valuable property, and/or something about their movements. They argue, " By sharing information with thieves he becomes the engineer, the prime mover of the theft." They also point out that implied in most of these arrangements, is the agreement that the fence will receive the property once it has been stolen (See also Shover, 1973, p.508; Malcolm X, 1964, p.217; Barnes, 1973a, p.162; Hall, 1952, p.158; Smith, 1926, p5; Tegel, 1964, p.81)

The willingness of the fence to invest money in advance of a particular undertaking, is shown to be a further feature of his operational facilitation of theft. While this facet of the thief-fence relationship is frequently mentioned by commentators nowadays (Smith, 1926; Harrington, 1926; Hall, 1952, p.159; Chesney, 1972, p.218; Shover, 1972, p.545; Roselius and Benton, 1973, pp.185, 187.) it was recognized as occurring at least as long ago as 1800, when Colqhoun (1800, p. 58) described the theft of sugar from casks on board moored ships. He says, "The different members of the gang had each a peculiar province assigned - the receivers generally furnished the money necessary to bribe the Officers and Mate in the first instance, and also provide the Black Strap..." (This was a 100 lb. capacity bag, dyed black in which the sugar was placed so that it could easily be transported unseen). More recently it has been reported (U.S. Select Committee, 1973, p. 41) that the fence himself

may be financed by organized crime, such a practice being known as "staking".

Finally, operational facilitation may involve direct planning, organization and control of the theft by the fence. Indeed, it has been argued for example by Chappell and Walsh (1973, p.21) that this control is always present to a certain extent, merely because of the fences power to reward, and pay more for certain items. The result, they say, is that of an "Invisible Hand", guiding the thief toward the selection of property he will steal. Shover (1973, pp. 545-46) calls this means of control, "inventory planning" (See also Chesney, 1972, 218; Barnes, 1973a, pp. 159, 162).

(b) Social Welfare Facilitation

As well as facilitating the theft through participating in its operations, commentators (Prison Committee, 1928; Smith, 1926; Hall, 1952, p.157) suggest that the fence may also facilitate theft by providing social welfare services. An often held wisdom among persons engaged in criminal enterprises is that one must be able to "stand-up" when things get difficult. Thus it is in the interests of fences, according to the documentation (Smith, 1926, p.5) to ensure that their thieves are able to tide themselves over periods of inactivity or ill-fortune. Inactivity can be met by finance by the fence in order that the thief may survive. Ill-fortune may mean apprehension and indictment. In such instances the fence is held (Harrington, 1926; Fitzgerald, 1951, p.127) to provide the thieves with legal support.

(c) Recruitment and Socialization

The final form of active facilitation identified by commentators, involves maintaining a workforce of

knowledgeable and trained personnel. The means employed by the fence to achieve this state are recruitment and socialization. Recruitment may be voluntary, in which case the thief seeks out the fence of his own volition. For example, Shover (1972, p.544) describes how the thief may be so convinced of a businessman's illegality that he may simply ask him outright to buy the goods, though he says that in most cases introduction to the fence will be through friends. Where recruitment is ⁱⁿ⁻voluntary, what is known as a "set-up" is worked. (U.S. Select Committee, 1973, p.148; Teresa, 1973, p. 134). This involves inducing someone into the debt of the fence then forcing them to assist in the commission of theft as a repayment. ⁸

Once recruited, thieves are trained and educated by the fence into "ways of crime". Included in this socialization process are learning how to distinguish valuable goods, how to steal things, how to dress for a theft, and what to do with the goods when stolen. (Shover, 1972, pp. 544-45; Klockars, 1974, p. 125; Prison Committee, 1928, pp.26-27; Chappell and Walsh, 1973, p.24.)

(d) Price and Power

Two further concerns permeating recent commentators' portrayals of the thief-fence relationship, are price and power. Having actively facilitated the procurement of stolen goods from their owners, the fence completes the first stage of the transactional process by obtaining the goods from the thief for a price. According to the documentation, the amount fences pay for goods varies, but most commentators (Anonymous, 1865, p.131; Colquhoun, 1800, p.195; Crapsey, 1871, pp. 495, 501; Binny, 1862, p.307; Ahern, 1930, p. 62; Cameron, 1964, p.57; Klockars, 1974, p.115) conclude the general price to be

one third of their value. Klockars (*ibid.*) offers an explanation for this, "one third" price norm. He argues that for centuries, thieves have asked for a third of the ticket price because they couldn't get a half of it. The fence can buy goods wholesale for a half, so why, asks Klockars, should he bother dealing with thieves if he can do just as well legitimately? It is Klockars' argument that, "the thief asks one third because it is the next simple fraction after one half. What else would he ask for - two fifths, three sevenths, four ninths? For many small thieves, these fractions do not exist. Even if they knew about them, they would be unable to calculate the proportion of the price they represented."

Klockars has an unfortunate tendency to typify those engaged in theft as ignorant and of low intelligence. It is not clear whether he has inherited this position through empathy with his subject, whose low opinion of thieves is explicit, or whether he actually believes this to be the case. Whatever the position, he offers no evidence in support of his claim. Moreover, a close analysis of the documentation suggests that the one-third price norm is used by writers who wish to generalize about the price between thief and fence. When instances of actual exchange are examined, the price appears to vary, depending at least upon the nature of the goods. For example, as little as one seventh appears to be paid for jewellery (Pace, 1971, p.33; Martin, 1952, p. 103), whereas as much as three quarters to four fifths has been paid for "liquor" and expensive medicine (U.S. Select Committee, 1973, p. 147; Roselius and Benton, 1973, p.192). Tobias (1974, pp. 50-51) discusses an interesting system used by the 19th century fence Ikey

Solomons, in which, while the value of goods of one kind may vary, the price paid changes in accordance with different types.

However, commentators tend to agree that the most important factor determining the price reached in any thief-fence transaction, is the relative power positions of those involved. In part, influenced by their desire to emphasize his centrality in the structure of property theft, twentieth century commentators frequently present the fence as all powerful. An analysis of their documentation reveals seven different sources of this power:- (1) If the thief-fence relationship is founded on a debt, perhaps incurred by the thief as a result of a loanshark, gambling or blackmail set-up, then the fence must hold the power. (2) Even where no such obligation exists, the onus is on the thief to complete the transaction because, as Chappell and Walsh (1973, p.11) have pointed out, failure to do so has consequences in terms of being caught with the goods, that are undesirable; the fence runs no risks if the deal is not consummated. (3) In addition, the thief requires goods because it is usually his only source of income, especially if he is an addict (Crusey, 1869, p.353; U.S. Select Committee, 1973, p.31); the fence has no need to buy the goods, he probably has other suppliers, he certainly has another source of income in legitimate business, and has the status accruing from this (Klockars, 1974, pp.140-41; Fahey, 1971, p.6) (4) Moreover, the fence is often the thief's only known outlet for his goods. If he sells them himself, he runs the risk of being caught; if he returns them to their owners the risk is even greater. (5) Even in those cases where the thief does know of alternative outlets, it is almost certain that the fence will know of these, and may co-operate with fellow fences to fix a price (Klockars, 1974,

pp. 131-32; Chappell and Walsh, 1973, p.16). (6) The thief also lacks full knowledge about merchandise, its value, and its salability; the fence has such knowledge as a result of his legitimate business skills (Klockars, 1974, pp.113-28).

(7) Ultimately, the fence has the power to "set-up" the thief in the sense of planning a rendezvous for a transaction, or even the theft itself, and arranging that the police should arrive; or even just informing on the thief in the event that he is unwilling to accept the fence's terms (Chappell and Walsh, 1973, p.23; Howson, 1970). As a consequence of this superior power position, commentators depict the fence as exploiting the thief by paying far less than the value of the goods. As Barnes (1973a, p.159) has said, the fence always wants to pay, "a bucket of coal for a bucket of diamonds" (See also McIntosh, 1971, p.160).

In contrast, other writers have shown how the thief may have a powerful position relative to the fence. Primarily, the thief has the power to withdraw the goods from sale, and either attempt to sell them directly to customers, or he can return them to the owners via an official agency such as a "cooperative" insurance or private detective agency (Chappell and Walsh, 1973, p.15). The thief also has the power to "set-up" the fence. He can do this by selling the fence stolen merchandise, and then informing the police (Klockars, 1974, p. 96; U.S. Select Committee, 1973, pp.34-36). Evidence exists that this thief-fence form of set-up occurred as early as the sixteenth century and probably before (Greene, 1592, p.203). Finally, the thief may have the power to eliminate the fence by arranging for his execution (Yoder, 1954, p.72).

Chappell and Walsh are the main protagonists of the argument that power is equally distributed between fence and

thief. They argue (1973) that both parties possess a certain degree of power in the relationship, and both are competing to achieve the best price. However, they maintain that, at the same time, both have interests in consummating an agreement. If agreement is to be reached, the cooperative interests must be strong enough to overcome the competitive interests. Thus, they contend (ibid., pp.11-19) that "The relationship if not a loving one, is at minimum, one of mutual cooperation and accommodation", even if, "the structurally stronger position of the fence allows him to accrue the greater proportion of the rewards available".

It would seem to me, however, that the description, "structurally stronger position", is nothing less than saying the fence has the greater power, and merely constitutes a literary gloss enabling Chappell and Walsh to accommodate the consistent finding of their evidence, that the fence makes most out of the deal. Perhaps a resolution to the price-power debate is to be found in Roselius and Benton's (1973a, p.180) more perceptive observation, that "price bargaining power" depends upon who takes the initiative in the transaction. If the fence asks the thief to supply a particular kind of quality good, the thief has price bargaining power; if the thief steals then takes his goods to the fence, then the fence has price bargaining power. Although even where the former position prevails, the thief's bargaining power appears to be limited by the context of the fence's generally more dominant position. As Tobias (Private Communication) has pointed out, this relationship is not peculiar to thief-fence association but is common to many economic transactions, in which one person has a greater power than the other.

(e) The Fencing Business

A Final consideration apparent in the literature on thief-fence relationships is the manner in which the fence operates successfully, i.e., to avoid being caught. Most recent writers say the fence runs his affairs along business lines, which as well as the obvious organizational benefits this brings, gives various additional benefits: available cash for purchasing stolen goods, contacts and knowledge enabling the evaluation and disposal of the goods. However, the most important advantage attributed to being a businessman, is the protection this gives the fence against being caught (Yoder, 1954). Klockars (1974, p.88) has identified three kinds of activity concerned with the thief-fence transaction, that the business "front" or "cover" renders legitimate: (1) visits of vendors of stolen merchandise, who are not distinguishable from legitimate delivery men; (2) the moving of merchandise, the discussion of price, the examination of cargos, and dealing with samples; and (3) the deposit of cartons.

(f) Drops I

Although extremely advantageous, merely being a businessman is insufficient to ensure successful purchase of stolen goods, and it is held that the fence must engage in certain additional behaviour if he is to avoid being caught. The main procedure he employs to this end, is to use what is know as a "drop", which in this sense means a location, other than the fence's place of business, at which the fence instructs the thief to leave the goods. ⁹

The drop, in this meaning of the word, is usually a transitory venue or rendezvous place which is in no way traceable to the fence's possession. Evidence (Binny, 1862, p. 309) suggests

that such drops were used in the nineteenth century, when they were beer-shops or coffee-shops, the keeper of which was paid for his trouble. The reason for the drop, then and now, is essentially to prevent the thieves having knowledge of the ultimate location of the goods, and to prevent the police being able to associate the fence with possession of stolen property (Yoder, 1954, p.19; Klockars, 1974, pp.83-86).

(ii) Transaction II : The Redistribution Relationship

Once the fence has procured the goods from their legitimate owners via the thief, commentators (Hall, 1952, p. 159; Chesney, 1972, p. 218, Barnes, 1973, p.156) observe that his next aim is to reintroduce them into legitimate channels. However, before this can be done, the fence must devise a means whereby he can successfully handle them, while they remain in his possession. Like the purchasing of stolen goods, this is best achieved by being a businessman (Shover, 1973, p.509; Fahey, 1971, pp. 5-6).

(a) The Business Front

Klockars (1974, pp.82, 89) has identified five kinds of activity to do with the successful retention of stolen goods, that having a business "front" or "cover" renders legitimate: (1) the holding of various quantities of diverse merchandise; (2) the holding of bills of purchase which can be claimed to cover illegitimate goods; (3) the right not to be disturbed in holding goods without precise knowledge that some of them are stolen; (4) the holding of distressed merchandise; (5) possession of goods whose identities may be transformed. Thus Klockars (*ibid.*) concludes that the fence avoids being caught, not so much by design of elaborate procedures, that frustrate attempts to prove his illegal conduct, but by making his illegitimate conduct

indistinguishable from the normal activities of the business world.

(b) Drops II

Occasionally, especially with highly identifiable goods, the fence must engage in the additional behaviour of concealing merchandise. Nineteenth century receivers are reported (Tobias, 1972, pp.118, 121) to have lived in specially constructed premises containing false doors, cellars and trap-doors, into which all goods were initially placed. Nowadays, the "drop", unlike the transitory drop (see above, p.73), is a relatively permanent location, other than the fence's premises, in which the goods may be stored. For example, it may be a house, garage, warehouse or even a parked trailer (Yoder, 1954).

(c) De-identification

A classic additional activity of the fence aimed at ensuring the successful handling of stolen goods, is rendering them unidentifiable and therefore unclaimable by their original owner. It involves, either the physical removal of identifiable characteristics, or changing or deleting identifying marks (Anonymous, 1832, pp.491-492; Binny, 1862, pp. 308-9; Chesney, 1972, pp219-22; Dudley, 1828, pp. 40-41). Since the introduction of mass production manufacturing techniques, there has been less need to engage in such activity as most goods are "fungible" or indistinguishable from others of their kind (U.S. Select Committee, 1973, p.45; Schweinsmann, 1962, p.365). As Klockars fence says,

Even if detectives find out it's me that's got it, how you gonna know it's yours? Say it's suits, Botany suits... I got Botanys, you got Botanys, every store in town's got Botanys. On stuff like that you don't even have to cut the labels out. Somebody brings me suits like that, name brand, I don't even have to touch 'em. Just put 'em right up on the rack.

Indeed, whether goods are rendered unidentifiable will depend upon the nature of the redistribution relationship. If the goods are to be sold to persons who have full knowledge of their stolen nature, who are prepared to assume the risk of possessing identifiable stolen property, and who are willing to do any necessary de-identification themselves, then this procedure will be redundant. Similarly, in cases where goods are returned to their owners, the removal of identification may not only be unnecessary, but also detrimental. In these cases the fence derives his protection from the "no questions asked" clause which prefaces any negotiations.

In contrast, commentators assert that most fences are concerned to reintroduce their goods into the legitimate market. It has been argued for example (Anonymous, 1865, p. 129; U.S. Select Committee, 1972, p.3) that this must be the case, "for if it were otherwise, the area would be so limited as to choke the criminal market, and the thieves would find no buyers because the buyers could not sell". To be successful, reintroduction requires that the ultimate purchaser is either ignorant of or at least prepared to ignore the possibility of the goods' stolen nature. To achieve this state, the fence is held to confer upon the goods a certain legitimacy.

(d) Legitimation of the Sale

The legitimation of the sale may be gradual or immediate. The former process has been well documented and involves the passing of goods through many hands; each stage adds more legitimacy as every new receiver is further away from the knowledge of the theft and is less suspecting of it, as the price rises (Middlemas, 1975). The latter process is partly fulfilled by the fence's claim to a reputation as a

businessman. However, three other practices are held to go a long way to ensuring its success; stock mixing, receipt fixing and telling a sad story.

Stock mixing is the intermingling of stolen and legitimate goods, which when done with fungible goods makes it impossible to distinguish which goods are stolen and which are not (See above, p.75). Receipt fixing ensures the success of the identity transformation and provides legal authority for the mixing of stock. Klockars (1974, p.89) says that to create this appearance of legitimacy through receipts, the fence must falsely claim the receipts cover stolen property, forge those receipts, and maintain receipts with vague descriptions of merchandise. In the sixteenth century such receipts were made out to "John O'Noakes" being the equivalent of John Smith (Greene, 1591). Finally, by telling a "sad story" (Smith, 1926; Roselius and Benton, 1973, p.191; Anonymous, 1865, p.131), the fence completes the confirmation of legitimacy by "explaining" the relatively low price of the goods, by way of a verbal statement accompanying the goods, at the point of sale, for example, stating that the goods are damaged or are seconds (As will be seen later, this presentation is a major feature of the amateur trade).

(iii) Slaying Dragons

Having constructed the fence as a clearly identifiable criminal, the Mr. Big of property theft, commentators go on to argue that society cannot hope to combat theft without first eliminating him (U.S. Select Committee, 1974). Multifarious ways are recommended whereby this can be achieved (Ibid.). Thus it is suggested that, the cost of dealing in stolen goods should be raised, by increasing conviction rates, allowing thieves to turn State's

evidence, allowing those losing property to sue for triple damages, lengthening the distribution channel, jamming channels of communication. It is also suggested that the public and industry be made aware of receiving stolen goods through public hearings and crime prevention advertizing campaigns. Finally, it is said that goods should be made increasingly easy to identify by serialization, public records, licensing and regulating exchange situations.

It is obviously difficult to assess the effectiveness of any of these recommendations in their intended aim of reducing or eliminating property theft and/or the fence. However, it is my belief that they will not achieve their aim. Any detailed assessment of the recommendations would be at best speculative, at worst laborious, and will not be attempted here. However, Chappell and Walsh, perhaps the most fervent contemporary supporters of the active conception, reveal why it is unlikely that the recommendations will have their desired effect. In a recent work (1974b, p.168) they argue:

To deal effectively with the fence, we must first alter our perceptions of him. The law after all, can only proscribe and protect against that which we can describe for it.

Elsewhere (1973, p.4), while criticizing the ineffectiveness of the conventional view of theft, they inadvertently give us an insight into the description which they believe should be defined in law:

Even when the conventional view of theft does its best it doesn't do very much. It ignores most of the iceberg in favour of focusing on its most visible part; and rather than slaying dragons, it feints at their images.

It would seem then, that it is "dragons" that Chappell and Walsh require us to describe for the purposes of legislation. While they might object to this perhaps too literal interpretation of their style, it is nevertheless, an

unfortunate term for them to use, for it is my contention that the fence, like the dragon, is in large part a product of its commentator's documentation. Indeed, it is my argument that in attempting to get something done about property theft, writers have created no less a mythical beast than a dragon. So far, in our examination we, unsurprisingly, have exposed the dragon. However, if we delve beneath the paraphernalia of documentation and look at what those engaged in the enterprise of receiving actually do, rather than looking at what would be slayers of dragons believe they do, we will begin to appreciate the extent of their distortion. In the next section I will argue that because of the nature of the evidence used, commentators have made serious omissions in their accounts of how the fence is allowed to operate and indeed, the nature of his activity/identity. In doing this they have inadequately accounted for his persistence.

(C) Persistence of the Fence

Two basic reasons are given by commentators to account for the persistence of the fence: (1) ability to circumvent the legal process as a result of the inefficiency of its laws; and (2) the difficulty of proving mental intent and possession of stolen goods. Chappell and Walsh (1974a, p.488) have described these as problems of "Legal Deficiency" and "Evidentiary Deficiency", respectively. (See also Fahey, 1971; O'Brien, 1967; Yoder, 1954). However, these reasons are based on very few studies, whose evidence can be shown to be biased in at least three ways. Firstly in no cases are first-hand investigations of the scenes of interaction made. For example, Hall (1952), The Prison Committee of the Association of Grand Jurors (1926), Chappell

and Walsh (1973), Fahey (1971), Shover (1972) and Roselius and Benton (1973) rely on interviews and existing documentation as bases for their studies. Secondly, in few cases are persons actually engaged in the enterprise interviewed. The nearest most of the above writers come to direct reports of the receiving enterprise are biographical and auto-biographical documentation, as is the case of Hall (1952, p.156), or interviews with thieves, as in the study by Chappell and Walsh (1973). Shover, (1972, p.540) does interview one fence, but his concern is essentially burglary rather than receiving. Roselius and Benton (1973, p.179) say that they interview a "sampling of thieves and fences", but they do not tell us how many fences constitute a sampling, or even what they include as being a fence. Finally, all the sources used have a declared interest of eliminating the fence. Thus the Prison Committee of the Association of Grand Jurors (1928, p.5) say they relied on, "the splendid cooperation from various City and State Officials, lawyers, prosecutors, police officials, business executives, representatives of commercial agencies, trade associations, commercial credit bureaux, insurance companies, newspapermen, and others including private detective agencies". Hall (1952, p.156) utilized interviews with public officials, private investigators and representatives of insurance companies. Fahey (1971, p.16) used police interviews and legal documentation. Roselius and Benton (1973, p.179) used a sampling of law enforcement personnel, while Chappell and Walsh (1973, p.4) place emphasis on their source of police intelligence reports.

In summary, it is reasonable to suggest that the evidence previously used is both second-hand and crime-prevention-biased. A consequence of this is a failure to

appreciate that at least two other kinds of reasons account for the continued existence of the fence: (i) official involvement and (ii) public demand.

(i) Official Involvement

Police, insurance companies, and private detective agencies all become involved in the receiving enterprise. By far the most important is involvement by the police. The nature of the police-fence relationship might be expected to be one of conflict; the fence constantly battling against police attempts to convict. However, recent evidence shows that the practical situation is revealed to be one of police-fence co-operation.

The reason for this is not difficult to see. Suppose in all cases where fences are known to the police, concerted action was taken to bring conviction. It might appear obvious that the fence would not benefit, though there are circumstances (Klockars, 1972, pp.4-5) where conviction can improve the fence's standing in the thief-fence relationship. What is not so obvious is that convicting fences is not beneficial to the police. This is because the public, particularly the victims of theft, have more sympathy with the fence than the thief, the former having far higher social status (U.S. Select Committee, 1972, p.2; 1973, p.8; Klockars, 1974, p.139). Consequently, public commendation accorded to police is not as great where fences are convicted as where conviction of a predatory criminal, such as a thief is secured. The differential acclaim accorded to police for convicting thieves rather than fences, is reflected in the way police achievement is measured: through the percentage of crimes-reported, that are cleared up

(Klockars, 1974, p.28; Chappell and Walsh, 1973, p.3). Since those reporting offences to the police, tend to report predatory crimes more than non-predatory ones, (Box, 1971, pp.174-77), convicting a fence has little effect on this measure. Finally, the conviction of a fence can actually be counter-productive to police action, for as Chesney (1972, p.219) has noted, it closes down known and therefore partly controllable outlets for stolen goods, which in turn makes both conviction of the thieves, and recovery of the stolen property more difficult. The situation of police-fence relationships, therefore, is that generally, both parties stand to lose from operation of the conviction process.

In contrast, co-operation represents a positive gain to the police and the fence. Because of their respective positions, both have access to resources desired by the other. As a result of the nature of the receiving enterprise, the fence is in a good position to provide certain resources desired by the police. He is able to give information about thefts, for he knows who commits these and probably can make a good guess as to where the goods are located (Chappell and Walsh, 1974b, p.167; Crookston, 1967, p. 68; Martin, 1952, p.69). He can provide the police with more than information, however, for he is able to "set-up" a thief by arranging for a thief to commit a particular theft and arranging for the police to be present upon his return (U.S. Select Committee, 1973, pp. 21, 30-36). Moreover, because of his knowledge and contacts, the fence is able to secure the return of stolen goods (Ibid., p.23, 25-26). Finally, the fence is able to offer the police "bargains", or gifts of stolen goods (Klockars, 1974, p.104; Emerson, 1971, p.36; Yoder, 1954, p.72; Anonymous, 1974, p.12).

In return, the police are in a position to offer certain resources desired by the fence. They can give him information in the form of advanced warning of impending investigations, or the danger of purchasing certain goods (Yoder, 1954, p.72; Pearson, 1973, p.224) They can provide protection by not pursuing their enquiries should their investigations lead to him (Klockars, 1974, p.100; U.S. Select Committee, 1973, p.26; UPAL, 1974, p.3). Occasionally, they may offer him money, but a more useful approach is to patronize his store providing him with some of the essential legitimation necessary for conducting his business (Klockars, 1974, p.105). Finally, a protected arrangement with the police gives the fence power over the thieves with whom he deals, as it is used by him as a threat in order to obtain the best price in the bargaining situation (Chappell and Walsh, 1974b, p.167; Ahern, 1930, p.62). In short, then, as Howson pointed out (1970), the lesson of Jonathan Wild has not been learned. Wild's role as a fence and a Thief-Taker was no coincidence; today the roles may be separated through division of labour, but their interdependence remains paramount.

In addition to the police, insurance or private detective agencies account for the persistence of the fence by acting as a buffer protecting him from public reaction to the theft. This may occur by diluting the victim's desire to pursue the thief or fence through the provision of compensation, without the time and trouble of court proceedings (O'Brien, 1967, p.69; Yoder, 1954, p.19). Insurance companies and private detective agencies may also protect the fence by co-operating with him for the return of stolen property. As in the case of the police-fence

arrangement, both fence and insurance company gain by co-operating. If the fence can arrange for the return of the goods via the insurance companies in exchange for money and "no questions asked", he is assured of a safe market for the whole of his goods. Similarly, if the insurance company can regain the goods by payment of a relatively smaller sum than would be the case if the goods were completely lost, they to benefit (U.S. Select Committee, 1973, p.26; Hall, 1952, p. 202).

(ii) Public Demand

Public demand accounts for the persistence of the fence by ensuring that there is always a ready market for stolen goods. It is manifest through the willingness of individual members of the public and private business concerns, to purchase stolen goods.

A fundamental feature of the role of the consumer in industrial societies is to purchase commodities at the cheapest possible price. Consequently there is a social tendency for most of us to purchase goods whose value is under-represented by their price. Such a purchase is known as a bargain, and implies that we are to get something for nothing and that such a state of affairs is desirable

While some commentators recognize this tendency, they argue that it is only present in lower class sections of the community. Roselius and Benton (1973, p.189), for example, say that a consumer's belief that he is getting a bargain is a strong buying motive providing part of the explanation for a market in stolen goods. However, they continue: "Primary demand for stolen goods is probably relatively low in the public at large, but may be relatively high within certain low income sectors of the population". It is this same assumption that led the President's Commission (1967, p.99) to

proclaim that, "The redistribution of goods through theft might constitute a significant subsidy to certain groups in our society; its curtailment might have significant side effects..."

In contrast, the evidence suggests that "bargains" in the form of stolen goods, are purchased by persons irrespective of their class or social background. In Klockars' work (1974) it is shown that customers to the fence's store include, secretaries, bank tellers, executives, policemen, detectives, lawyers, tipstuffs, an occasional judge, customs officials, waterfront workers and inspectors, insurance adjusters, private detectives, and crime reporters. Indeed, Klockars (ibid., p.104) points out that the largest single group of customers is connected with law enforcement. Similarly, Emerson's (1971) "swagman" sells his stolen wares to, "professionals and blue-collar workers", neighbours, policeman and a dentist. Emerson (ibid., pp. 34-35) says, "Most of Tommy's customers, like the dentist, can afford to maintain adequate wardrobes by shopping in retail stores. But by dealing with Tommy, they get more for less and people are always ready for a bargain".

Further evidence of the public demand for stolen goods is the existence of the hustler or "con-man". The hustler is someone who sells merchandise at a price far higher than the true value commanded by the goods, achieves these sales by falsely claiming the goods are of a superior quality to that which they genuinely are, and explains the low price by falsely claiming the goods are stolen. As a result the consumer believes he has a bargain when in fact he has just the opposite. If the public were not prepared to purchase stolen goods, the hustler could not operate; that

he does so successfully demonstrates the social demand for stolen goods (Pace, 1971, pp.1, 33).

Just as it is the role of the consumer to purchase goods at the least possible price, so it is the role of the private businessman to do the same. Whereas the consumer finds it socially acceptable to purchase "bargains", the learned motivation for the businessman is the maximization of profit. As Klockars (1974, p.111) has argued, the primary advantage of dealing in stolen goods is that of price - the wholesale buyer of stolen goods can get anywhere between twenty and eighty percent off the normal wholesale price. As we have seen from the earlier elaboration of the fence identity, commentators have traditionally held the view that the purchaser of stolen goods is essentially a criminal who operates a business ~~of the~~ trade in stolen goods, and does so under the guise of a legitimate business front. However, the latest evidence suggests that the main support of illegal sales from the thief is the legitimate businessman. In her study, Walsh (U.S. Select Committee, 1974, p.527) reports that 67 percent of the fences she studied were proprietors of legitimate businesses. The District Attorney for Los Angeles (U.S. Select Committee, 1973, p.4) has described how investigators from his department opened up an apparently legitimate electronics store, in order to catch certain suspects known to be stealing goods from a nearby department store. Subsequently, the suspects came into the electronics store and offered to sell the D.A.'s men thousands of dollars worth of televisions and tape recorders. The District Attorney (ibid.) said:

The case underscores one of the major supports for illegal sales - the greed of the legitimate businessman. The thieves in this case felt completely safe in making an offer to an apparently legitimate store... In our investigations of fencing operations this aspect has become very clear. Too many legitimate businessmen are willing to buy hot merchandise if it assures them of higher profit. (My emphasis)

Legitimate businessmen may deal directly or indirectly with the thieves. The evidence on direct dealing is limited (Cooper, 1936, p.70), but in his book on the Kray twins, Payne (1973) describes how businessmen purchase goods obtained through "longfirm" operations (Mack and Kerner, 1975, pp.18-20) or hijacks. He says that the goods come into the warehouse where they are sold on the floor at about twenty five percent below what they cost, in other words about half of the retail price. The buyer, who might run an honest supermarket or general store, pays cash and gets a receipt showing he paid four and a half percent above the wholesale price - which he should have done. Payne (ibid., p.61) says, "there are several firms in London which owe their present prosperity to buying cheaply longfirm goods, and this business goes on as actively today as ever" (See anonymous, 1832, p.493).

Alternatively, the legitimate business obtains its stock of stolen merchandise indirectly, through a buyer. Klockars (1974, pp111-12) has explained how this works. The fence gets in touch with a buyer from a large corporate business, who purchases merchandise for a figure below the wholesale price. The company pays the fence by cheque for what the buyer has purchased, and the difference between the price and that agreed is passed on to the buyer and is known as a "kick-back". Klockars (ibid.) says this illustrates how a large corporation may unwittingly co-operate in the traffic of stolen goods, though at the same time, he reveals his fence

alleging that department stores deliberately close their eyes to the illegality of buyer's purchases.

In short, then, the evidence suggests that a significant factor in the persistence of the fence is the willingness of legitimate businessmen to purchase stolen goods. More than this, however, it implies that it is not the case that one species of actor, the "fence", buys stolen goods, whereas another, the "businessman", buys legitimate ones. Rather, it demonstrates that businessmen buy cheap goods in order that they may sell at a profit; a greater or lesser proportion of their purchases may be illicit.

In the next section I argue that a mishandling of the evidence available has given rise to the erroneous selection of the professional fence as the most important type of trader in stolen goods.

(D) Mishandling the Evidence

For most commentators, classification of the multifarious behaviour which constitutes the receiving enterprise is achieved implicitly. However, it is possible to expose four stages of selection through which commentators arrive at the clearly identifiable "professional fence". In the first stage, various criteria are selected upon which classification is based. These are; purpose of purchase, implied in Hall's dealer/consumer (1952, p.155) distinction; degree^{of} organization (ibid.); degree of active involvement in theft (Tegel, 1964, p.88), degree of knowledgeable involvement (Roselius and Benton, 1973, p. 189; Crapsey, 1871 p.500) ; frequency of purchase (Hall, 1952; Roselius and Benton, 1973, p.189; Shover, 1972, p. 544), scale of operation (ibid.) and degree of specialization (ibid.). The next stage involves selecting a few types from the numerous

theoretical possibilities implied by the chosen criteria. For example, on the basis of Hall's (1952, p.155) four implied criteria, i.e. purpose, knowledge, frequency and organization, his typology really ought to contain at least twenty four types.¹⁰ He mentions just three; the professional receiver, defined as a dealer in stolen goods who maintains an organization; the lay receiver who knowingly buys stolen goods for his own consumption; and the occasional receiver who buys for resale but infrequently. Where are the other twenty-one types which complete the theoretical possibilities of the framework? More recent contributors have exercised caution in selecting types. Chesney (1972, p.128) resists selection by describing the enterprise in terms of a continuum, and Roselius and Benton (1973a, p.176) avoid the error by limiting their criteria choice to two, so that the full complement of types is no more than four. The third stage of the selection process is to dichotomize the remaining types around a professional/non-professional distinction. Thus Hall (1952) though identifying three types defines one of these as professional, while the occasional and lay types are jointly referred to as non-professional (See also Anonymous, 1865, p.128; Crapsey, 1971, p.499). Finally, by simultaneous de-emphasis of the non-professional type and emphasis of the professional, the latter is selected as the most important for consideration. This de-emphasis has been based on the argument that for years the law has been biased towards the non-professional and has failed to convict the "real" fences on which it should now concentrate (Anonymous, 1832, p.490; Crapsey, 1871, p.499). But often the literary mechanics of this process are less sophisticated, with non-professional types simply being omitted from discussion, as in Hall's contribution of one

sentence and two footnotes (1952, pp.155, 218).

It is my contention that this four stage selection process represents a mishandling of the evidence with the result that the professional fence is erroneously selected as the most important type. The crucial question is, "On what basis is each stage of selection made?" It is my belief that the answer to this question reflects the commentators' purpose in documenting the enterprise: that selection is based on the commentator's intuition guided by his crime-preventive desire to bring about an effective means of eliminating the subject of his inquiry, in the hope of reducing property theft. In this context, we can see that the 'deduction' of the single type "professional fence", is not so much a result of constraints imposed on the commentator by the everyday activity of the members studied, because few members have ever been studied. Rather, it is a result of creating a clearly identifiable criminal upon whom specific action can be focused.

This is not to say that commentators engaged in selection are aware of the inadequacy of their documentary procedure, or even that they are engaged in selection. On the contrary, they probably believe in its adequacy and even that this adequacy is self explanatory: that criteria reflect important contingencies of the actual receiving activity; that types represent the clustering of behaviour around these contingencies; that the behaviour of a certain type is professional in nature; and that this professional type is the most important in the structure of property theft. Indeed, to an extent, each of these assumptions may appear valid. For example, in the case of criteria selection, certain contingencies appear crucial in the determination of different behavioural

types. Thus the purpose for which the receiver purchased the stolen goods may seem to be important as his enterprise can be expected to be very different depending upon whether he is to keep the goods for his own consumption, or resell them. However, persons receiving stolen goods engage in much activity other than the specific exchange activity. They eat, drink, socialize, negotiate, celebrate and perhaps pontificate. Since with the exception of the study by Klockars (1974) and this research no commentators have examined, at first hand, the context of the activity surrounding the receiving enterprise, it is impossible for them to arrive at any sound judgment as to the importance of respective criteria, or for that matter know what is the range of relevant criteria.

Similarly, in the case of type-deduction, certain behavioural patterns might appear to occur more frequently than others, whereas others might seem to occur so infrequently as to be deemed unimportant. For example, a theoretical possibility identified by Roselius and Benton's (U.S. Select Committee, 1973, p. 177) schema is the unaware heavy user. They note, (ibid.) "that such a type is probably insignificant in number". The plausibility of this de-emphasis, however, is contingent upon certain assumptions, relied on by the commentators as being held by the readers. Plausibility is only confirmed if we assume that of all goods sold, only a small proportion are stolen, that these goods are only available through certain channels, and that the "unaware consumer" is unlikely to have access to such channels. Rather than leaving the holding of such assumptions to chance, Roselius and Benton (1973a p. 176) ensure that we hold them for immediately prior to their classification of receivers they say:

To be a potential customer the consumer must at least be able to come into contact with a fence or a thief. This capability is not necessarily widely held throughout the public since many persons do not frequent bars or do not have shady "friends-of-a-friend". Morality, aversion to risk and inconvenience or purchase, preclude many other persons for the market of stolen goods. Therefore, one would expect that some regular users consume the major portion of stolen goods.

But where is the evidence for such wisdom? As we have seen above, current research into the actual activity constituting the enterprise of receiving suggests that rather than being confined to, "shady friends of a friend", operating out of "bars", the trade in stolen property operates at all levels in social life. This being the case, it seems appropriate to suggest that many "unaware heavy users" exist. However, it is not the purpose of this argument to make such claims, but to demonstrate that the claims that have been made, together with the selectivity based on them, are more derived from opinion than from any appreciation of what those involved in the receiving enterprise actually do. However, we need not merely suppose this is the case, for as Roselius and Benton (ibid.) tell us:

Consumers of stolen goods can be intuitively grouped into different categories as an initial step in determining their socio-economic features and for studying their buying patterns and motives.

Thus type-deduction is revealed to be founded upon no more than the commentators' intuition, and yet by means of the selectivity that is implied in it, certain types are excluded from further study on the grounds that they are "probably insignificant in number".

The same criticism, namely the absence of first-hand information of the receiving enterprise and over-statement of the evidence available, constituting a general mishandling, can be levelled at both writers' classification of receivers into professional and non-professional, and the subsequent

emphasizing of the former and de-emphasizing of the latter. A criticism made by Klockars (1974, pp. 169-70) of Hall's typology is generally true of previous approaches:

Hall's typology and the elaboration which followed it are unsatisfactory Hall had no way of knowing what proportion of the traffic in stolen property passed through professional receivers. In spite of this lack of information his images of the lay and occasional receivers are unduly sparse and flat. They suggest nothing of the trade in stolen property among amateur thieves and dabbling dealers which thrives in bars, schools, offices, factories and neighbourhoods.

At the same time, Hall did not take the amateur trade seriously enough, he took the idea, the image of the professional too seriously. Hall, himself a professional, must surely have known that professionals, even learned ones, are not nearly so rational nor disciplined nor perfectly formidable as they let outsiders believe they are

Hall might have added other factors: the competence of the receiver, his business acumen, the attention he gives to his work, his industry or indolence, the condition of his health, his relationship with his wife, the intonation of his voice, and the quality of his best manipulative smile. But Hall's image of the professional is ideal. It admits no bungling, no stupidity, no laziness, nor poor judgment, no misunderstandings, no pathos and no humor.

In summary, a mishandling of the limited evidence available has resulted in a failure by commentators to appreciate the pertinence of non-receiving related activity, which the most recent research shows to be crucial in forming the context to the activity of receiving. Moreover, as well as dismissing the significance of non-professional types ignorance of the contextual activity surrounding the receiving enterprise has given rise to a distortion of the identity of the so called professional fence. It is towards a reassessment of his identity in the light of new evidence that the remainder of this chapter is directed.

(E) The Other Side of the Fence

The crime-preventive bias of sources used by most students of receiving has resulted in the accumulation of a

body of partial knowledge about the enterprise. A consequence of this knowledge has been the production of a distorted image of the fence identity. Fortunately, however, the latest research on the subject, Klockars (1974), partly remedies this omission. Unlike previous studies, Klockars bases his work on a combination of interview and direct observation (amounting to four hundred hours during a period of fifteen months) of one fence, Vincent who has successfully operated his business for the past thirty years. While Klockars' work will undoubtedly become a criminological classic on many grounds, two basic themes emerge as pertinent to this analysis. The first, as we have already seen, is that the study endorses, and in places, considerably expands various features of the traditional money-motivated presentation of the fence identity. The second, and by far the most important here, is Klockars' extensive reporting of the context of the activity of the professional fence.

While it may not be immediately apparent, Klockars is inclined towards the former of these two themes, especially in providing any overall explanation of the receiving enterprise. Indeed, he includes one of the most explicit statements of the money-motivating perspective when he proclaims:

Vincent is a businessman. He buys and sells merchandise in order to make a profit. Some of his merchandise is stolen, some of it is not. There is only one advantage to trading in stolen goods; one can buy them cheaper than legitimate goods and thus make a greater profit. (ibid., p.77. My emphasis.)

Since Klockars is the first commentator to acknowledge the wealth of contextual activity surrounding the receiving enterprise, it may seem ironic that he should include any such unqualified economic assertions about the reasons for trading in stolen goods. However, as I hope to show, this

statement, far from being indicative of mere irony reflects an underlying trend in Klockars' work: that his explicit interpretation of fencing ultimately rests on an economic base. It is my belief that because of this, he fails to promote sufficiently the importance which the contextual activity has in motivating Vincent.

A major problem with Klockars' analysis is that money-making is explicitly accepted as the end-purpose behind the process of interaction he describes as fencing. He makes no attempt to establish what money-making means for Vincent which is surprising, because as well as having the evidence available to do so, it is part of his own theory (ibid.p.180) that the potential fence, before becoming willing to engage in the activity must decide that to do so is enjoyable. Nonetheless, if we examine Klockars' material closely, it is plain that Vincent himself does provide some depth to the notion of money-making. Thus it is revealed that it is not so much mere accumulation of wealth that is enjoyable. Rather, as we can see from Vincent's early hustling experiences, it is the act of extricating money from others that provides enjoyment:

I guess it began with Paul and Hoppo. They were both hustlers. They'd sit around in the kitchen at night and talk about the scores they made that day. One guy they stuck for fifty dollars, another for forty-five, things like that.
(ibid., p.35.)

Hustling taught me how to read people. I was a great bullshitter, a good con. I could tell nine times out of ten who I could sell.

I knew I was doing wrong... But I was twelve years old and I was outsmarting men five times my age. I would get a kick every time I clipped somebody.
(ibid., pp. 38-39. My emphasis)

The excitement Vincent experiences through the 'deal' is underscored in the following extracts from his fencing biography:

When I go to bed I lay there and my whole day goes before me I can see each deal I made, how much I paid, what I got, exactly the number of pieces. It's quiet, not a sound and I can tell you every move I made that day. As soon as I'm through thinkin' about it, then its gone. If I got somethin' and sold it, I figure it's over an' that's it. It's outta my mind completely.

Then I start thinkin' about the next day. What kinda deals I'm gonna work, who I'm gonna sell to. I piece it all out. That's when I work out my best ideas.
(ibid., p.76)

I ain't braggin' now when I say this Carl, but when it comes to bein' in bed with a woman I think I rank with the best of 'em. You know I can sometimes go for half an hour, maybe forty-five minutes without finishing, you know. If I want to do that I just set my mind to some deal I got goin' and think about what's happenin' and don't finish until I want to.
(ibid., p. 194)

As well as enjoying the act of making money, Vincent enjoys other activities surrounding the exchange of stolen goods. Klockars describes (ibid., p.76) how, on Sundays, Vincent is the host to local businessmen, providing them with coffee and doughnuts as refreshments while together they, "review last weeks triumphs and discuss this weeks opportunities". He describes (ibid., p.105) how the arrival of high status people, or those Vincent has known for many years, prompts a minor celebration. Finally, it is evident from The Professional Fence itself, that Vincent immensely enjoys talking about "being a fence".

That Klockars' allegiance is with the economic explanation of fencing is even more evident from the interpretation he places on social acts done by Vincent. While Vincent enjoys the undoubtably unsocial act of exploiting those with whom he deals, such behaviour does not preclude his participation in and enjoyment of, purely social acts. Klockars, however, sees such acts differently. He denies Vincent the possibility of conducting any altruistic acts by explaining all his behaviour in economically rational terms. For example (ibid., pp.124-25) when Vincent buys a thief

breakfast, offers him a drink, pays his cab fare, gives him a present for his girlfriend or children, it is held to be, either a device for "cooling the mark" after a sharp deal, or an attempt to maintain a good reputation among thieves, for the purpose of ensuring future supplies of stolen goods. According to Klockars, (ibid., p.155) "Self interest becomes visible in generosity and profits make altruism suspect". Similarly, when Vincent makes large donations to civic and charitable activities, which include orphanages, churches, delinquency and recreational programmes, firemen's and other public service funds, in total estimated as equivalent to a yearly ten million dollar tax saving, Klockars (ibid., pp. 193-94) identifies an interest here as an attempt to create an economic link with legitimate society which the stigma of his occupation would otherwise prohibit.

Almost as if in dissent with Klockars' interpretation of his activity, Vincent asserts another side of his enterprise:

You don't have to be a bastard to be in this business you know. You can treat people decent... I treat the people I deal with right. If they're in a jam an' I can help 'em out, I'll do it... I'm known for helpin' people out when I can.
(ibid., p.154)

He emphasizes (ibid., p.155) that he is liked by the people he does business with (in contrast to the traditionally held view that hostility exists between fence and thief), that if it were otherwise, recriminations would be evident and they are not. He points out that he has one thief that calls him his "white father", because he has been so good to him.

How much Vincent's good relations with those he deals are determined by underlying self interest, and how much by social or altruistic concern, is difficult to assess, but surely we ought to listen to Vincent's own explanation

of his actions, at least on a par with Klockars' interpretation of them. Similarly, it is questionable whether Vincent needs to give money away, as he does in his charitable donations, merely to create an economic link with legitimate society. Is not the existence of his own operation, in which he supplies many legitimate firms with goods, and is patronized by high status legitimate members of society, sufficient evidence of his economic integration?

Possibly under the influence of Klockars' persuasiveness, Vincent concedes that he has done some bad things in his time, but even at this stage he maintains that he has done many good things:

Sure I've done some bad things in my life. Who hasn't. Everybody's got a skeleton in his closet somewhere. But you gotta take into account all the good things I've done too. You take all the things I've done in my life and put 'em together, no doubt about it, I gotta come out on the good side.
(ibid., p.151)

It appears that Vincent is accusing Klockars of selecting only the bad side of his life. He is arguing that Klockars is giving a rather one-sided interpretation of his activity. Taken literally, Vincent is actually saying that the greater part of his activity is of the good kind.

However, all Vincent's attempts to return Klockars to a more appropriate account, are in vain. Klockars takes Vincent's account, and turns it on itself. All this talk about good sides and bad sides he says, is nothing more than Vincent attempting to rationalize his behaviour. Indeed, Klockars even seeks to make sociological capital out of the argument by claiming to have 'discovered' yet another "technique of neutralization", which he calls the "metaphor of the ledger". For Klockars, (ibid., p.151) Vincent's attempt to present the other side of the fence, is merely

an attempt to "balance" the ledger in order to come out on the good side of any character assessment. Unfortunately, Klockars fails to tell us the context in which Vincent came upon this "balancing". I suspect that rather than it being a voluntary utterance captured from a mood of self reflection, it was a counter argument thrown up against a Klockars' provocation.

In short then, my dispute with Klockars is not so much that he under-represents the social side of the fence's activity, for Vincent will not let him. Rather, it is that he under-emphasizes its representation. By transforming each social act Vincent conducts, into one undertaken for material interest, Klockars succeeds in devaluing any possible altruistic interpretation, while confirming his implied economically motivated model of the fence.

In contrast, my praise of Klockars' work is that he incorporates sufficient description from Vincent to make the alternative interpretation not merely plausible, but equally probable. The evidence of Vincent, then, demonstrates how the framework of fencing activity, that is dealing in stolen commodities, can be managed in different ways, to produce different ends; how it may be operated to produce material wealth, but also enjoyment and social benefit. It shows that a purely economic interpretation of the fence's activity merely accounts for the technology of the enterprise. Alone such an interpretation not only distorts the identity of the practitioners, but also undermines the meaningful context of the activity for its members. With Vincent's description of the meaning of the enterprise, the fence's activity and identity is not only humanized, but more importantly its attractiveness begins to be intelligible.

(F) The Value of Studying the Non-Professional Activity

By now my argument should be apparent. I believe that the existing documentary presentation of the professional fence identity is a distortion. In all but Klockars' work, it is a distortion because it is based on the mishandling of grossly inadequate, crime-preventive-biased evidence. But more than this; if the aberrant documentation had arisen merely as a result of the difficulty of obtaining information, then an extended critique as the one presented here would be superfluous. Indeed, more pertinent would be a call for research. However, as I have argued this distortion has been caused during the creation of a clearly identifiable criminal type who could be rendered responsible for the apparent continuance of property theft. In short, the professional fence identity is a product of various persons efforts to get something done about property theft.

Contemporary commentators might take exception to such accusation, believing that their representations are necessary in order to reverse the dominance of the conventional view of theft, which as we have seen implies a passive view of the receiving enterprise. But it is my belief that the signification process employed to this end, while it may bring about a reversal in conception, wholly overstates their case. The result therefore, is to obscure rather than clarify their problem. Instead of gaining an understanding of this complex area of social life, writers have produced a caricature of one part of it. Rather than sensitizing their appreciation of the receiving enterprise, commentators have misled others as to its nature. The personification of theft through the portrayal of the fence as its Mr. Big, not only misrepresents the activity of the members involved, but also has implications for trade in

stolen goods generally. Concentrating attention on one character, the professional fence, results in an exaggeration of the economically motivated component of man's activity.

In short, I am not arguing that it is the social instead of the economic web that accounts for men engaging in the professional activity. Rather, that in reducing the social aspects of fencing behaviour to a function of the clearly evident economic rewards, commentators not only do an injustice to man's humanity, but, what is crucial, they fail to understand what "economic rewards" mean to the members involved. Moreover, in so far as I have demonstrated the existence of a social plane underlying the professional enterprise, there is likely to be found **even greater** evidence of this in the non-professional activity. A full understanding of this may give us an even greater insight into the social component of the professional activity, while simultaneously enabling us to grasp what may prove to be an even more widespread and indeed fundamental aspect of social life.



Chapter 3

AMATEUR DEALING AND LAY RECEIVING : THE
NON-PROFESSIONAL ACTIVITY DEFINED AND
LOCATED

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So far in the discussion I have been using the term, "non-professional receiving" to refer to stolen goods exchange that is not included in the category of professional fencing. Such an approach is, however, too unspecific. In this chapter, I intend to clarify conception of the phenomena under study. I will do this by defining and expanding what I take non-professional receiving to mean, showing how it is different from, but related to other forms of ^{illegal} property distribution such as fencing, hustling, and black-marketeering, and finally, specifying the sociological interest of the social interaction upon which I am concentrating.

(A) Definition: Two Kinds of Non-Professional Activity

In the previous chapter we saw how commentators, in attempting to signify the professional fence as the central character in a system of property theft, de-emphasized the importance of the non-professional activity. It is my contention that this de-emphasis has confused identifying a phenomenon, with judgement about its importance. As a result, non-professional receiving is conceived of as the same activity as professional fencing in all but degree. The confusion has been amplified by those (Chesney, 1972, p.218) who use the word "fence" to, "...cover alike the promoters of big robberies and any unscrupulous retailer prepared to buy a chunk of pilfered bacon".

Even if non-professional receiving were the same phenomenon as professional fencing, it is debatable whether it is of lesser importance. Shover (1972, p.544) has said that professional fences, "are clearly important, but we must recognize that ...other types of criminal receivers may be

equally important in the promotion of criminal careers". However, Klockars (1974, p.163) points out that there is no way we can know the significance of either professional or non-professional activity for, "no reliable information is available on the relative contribution of different patterns of sale and distribution to the overall flow of stolen property from thieves to eventual customers". Indeed, it is possible that in terms of the total value of goods stolen, the non-professional activity accounts for at least five times that accounted for by professional fencing (See above chapter 1, pp.36-37).

In terms of this discussion, the pertinent issue is whether non-professional receiving is something different in kind from fencing, the professional activity characterized in the previous chapter. Before we can examine this difference it is necessary to define the professional activity. We have seen above how professional fencing is held to operate, but nowhere did we explicitly define it. It should by now be apparent that essential to any such definition is the characteristic of the reason for buying stolen goods, in other words, the criterion of the purpose of purchase. Commentators (Hall, 1952, p.155; Klockars, 1974, p.172; Shover, 1973, p.508; U.S. Select Committee, 1973, p.40) are agreed that fencing must involve dealing in stolen property; that is the buying and selling of stolen goods in order to make a profit. Outside this, agreement subsides and all manner of characteristics are incorporated into authors' definitions. However, as we have seen above (pp. 88-93) many of these additional criteria are no more than the authors' descriptions of their commonsense beliefs of how fencing operates, rather than statements of what is

fundamental to the professional enterprise.

Clearly, then, any definition of professional fencing must include some representation of what additional features make the buying and selling of stolen goods constitute the phenomenon of professional fencing, but this definition must be based upon evidence from actual studies of the activity. In my understanding of this limited material, the crucial factor is the principality of the activity in providing the practitioner with both income and status. Klockars describes (1972, p.1) this admirably when he says of the professional fence, "He devotes the majority of his time and realizes the vast majority of his profits from his trade in stolen merchandise. Such an activity is not secondary to other endeavours." (My emphasis). In other words, to constitute the phenomenon of professional fencing, the buying and selling of stolen goods must be publically recognized as the occupational status of the practitioner. It is to occupational status that I believe Klockars (1974, p. 172) refers when he says the fence must be "public", "must acquire a reputation as a successful dealer in stolen property among law breakers, law enforcers and others acquainted with the criminal community. He must arrive at a way of managing the full significance of that reputation."

It is perhaps ironic that the first commentator to emphasize the difference between the professional fence and the non-professional receiver, was Hall (1952), who used the distinction as a foundation for his campaign to reform legal thought so as to recognize the importance of professional fencing. Hall (ibid., p. 155) attacked contemporary legal thought on the grounds that it did not differentiate between the behaviour of non-professional offenders and the dealer

in stolen goods, a distinction he believed essential: He says "The behaviour of the professional criminal receiver is persistent and complex. His activities are entirely different from those of the lay and occasional receiver." Hall is the first then to recognize two kinds of non-professional activity: lay receiving which he defines as the knowing purchase of stolen goods for one's own consumption, and occasional receiving, which is the purchase of stolen goods, "for resale, but infrequently". We may ask of Hall, what precisely is the distinction that he says is not appreciated in law? He replies (*ibid.*, p.156):

The essential defect in the traditional law on this problem is that the ultimate consumer is lumped in the same category with the professional receiver...the professional receiver... buys for a different purpose, namely to resell. Here we are at the core of the essential difference - purchase for resale not for consumption.

From this we see that Hall is not distinguishing between three kinds of receiving activity - his claim to do so is merely part of his rhetoric. Rather, he is distinguishing between the professional fence and the ultimate consumer (lay receiver). In the process of differentiating between the two, he loses sight of the "occasional receiver" who buys for resale only infrequently.

A close examination of Hall's footnotes reveals that, like others, he conceives of the occasional receiver as no more than a lesser important member of the category, "professional fence". Thus he says (*ibid.*, p.218)

There are intermediate groups of persons who buy occasionally for re-sale. These are omitted for the present to simplify the problem. Even if it were true that receivers cannot be sharply divided, this would not affect the problem of treating the extremes differently i.e. the need to construct at least two broad classes.

So in the final analysis, Hall's tripartite classification of receivers, collapses into a mere dealer/consumer dichotomy.

It is commendable that he was sufficiently perceptive to identify three classes of receiver, but it is unbecoming that his obsession with the signification of the professional enterprise, precluded his appreciation of the lay and occasional activities.

As is evident from Hall's work, the easiest of the two non-professional activities to define is "lay receiving". The difference between it and the professional and occasional types, is that it is concerned only with purchase and not with selling. As Barnes (1973a, pp160-61) says :

Just because somebody purchases an item that may be a "little warm" doesn't mean that he or she is a fence. This person purchases one T.V. set, one radio, one clock, one toaster, maybe one mink stole when he sees a bargain that he could not pass up. In other words, when he sees something that is essential in his household and that he otherwise couldn't afford to buy at a retail price. Although he realizes the T.V or the mink stole may be "hot", he doesn't consider himself a fence, just somebody who is lucky enough to buy something at a bargain that otherwise he couldn't've purchased.

The important point here, for our definition of lay receiving, is Barnes' comment that the lay receiver realizes that the goods "may be hot", and he is buying a "bargain". My ^{always} investigation of the activity reveals that the goods need not be stolen so much as apparently stolen. They must, however, be sufficiently cheap to constitute a bargain:

In our area there was a kind of rule that if you couldn't buy what you wanted bent, you got it trade. Whether you was in the trade or not you went to great lengths to get it trade, and if you couldn't get it there you got it from a cash and carry by borrowing someone's card. You never went into a shop and bought it. That's a mugs game.
(Steve)

The relevant factor is that the lay receiver is free to provide his own interpretation for the cheapness of the goods. Thus "knowing" the goods are stolen is more a reflection of the legal definition of the offence than a feature of the activity (See chapter 1, footnote 1). A more

precise definition of lay receiving then, would be the purchase of cheap goods or bargains, for one's own consumption, in contexts which render ambiguous their legitimate origin.

As we have seen, if we rely on the documentary evidence alone, the distinction between occasional receiving and professional fencing is difficult to make. For Hall and others, the two activities were the same in all but the frequency with which they were performed. Examination of members' evidence, however, suggests that frequency of performance is an inadequate criterion for definition, since it fails to capture the special meaning of the enterprise for those involved. Such examination reveals that, even in terms of the criterion of frequency, this activity is not so much done occasionally or casually as regularly, but on a part-time basis. In addition an essential point missed by other commentators is that the activity is secondary to the practitioners' principle income raising activity; it is not his occupation. Indeed, rather than being a source of income, it is something done, "on-the-side". As Stan explained:

I just think of the money I get from doing it as just pocket money. It's a couple of quid in my pocket. It's a little bit extra; helps you with the family, takes you on holiday that little bit further, lets you have an extra bit of luxury. But I don't need it. I can do without that money. It's different 'cause I'm not doing it for a living.

None the less, the activity is one in which goods are bought for the purpose of resale, which involves more than merely receiving them, as with the lay receiver. Thus rather than "occasional" or "casual receiving", I maintain that a more appropriate term for the activity is, "amateur dealing".

In his work on breadsalesmen, Ditton (1974, p.23) has defined a similar activity as "dealing", and says it is

conducted for the mutual interest of those involved. He says, "Dealing can be defined as meaning a part or portion, which is distributed on a clandestine basis to the mutual interest of those involved." For the activity of amateur dealing to be in "the mutual interest of those involved", it requires that the ultimate consumer, that is the "lay receiver", obtains a genuine bargain. Amateur dealing therefore requires that the members purchase genuine quality merchandise. As Emerson (1971, p.35) says of his "swagman" (who is actually an amateur dealer), "Tommy deals in any kind of swag he can get his hands on. If it is good quality merchandise that will satisfy his customers, Tommy can use it."

Although the amateur dealer finds that the majority of genuine bargains are to be had from stolen goods, their stolen nature is not fundamental to the enterprise. What is essential is that the goods he purchases for resale are cheap:

I tell you what, if you name it I can get you it. Give me long enough, I bet you I could get it for you. But there again it's not necessarily knocked-off. It may be straight but it'll be cheap. I don't go out of my way to find knocked-off goods. I could put you in contact with somebody who could possibly do something for you and possibly get it straight away. But it might be legitimate. It wouldn't necessarily be bent.
(Michael)

In summary, therefore, we can define amateur dealing as the regular part-time ^{illicit} purchase of genuine quality ^{usually but not necessarily stolen} merchandise for the purpose of selling cheaply to the mutual interest of those involved. More generally, because of the nature of the activity, amateur dealers and lay receivers can appropriately be described as engaging in the amateur trade in stolen goods.

Before examining how the amateur trade features in the structure of property distribution, it is worth distinguishing amateur dealing from "hustling" and "black marketeering".

Second only to the confusion which holds amateur dealing to be a category of professional fencing, is that generated by commentators (Emerson, 1971; Pace, 1971) who describe the activity as hustling. The confusion is not altogether the fault of these writers for it is fundamental to hustling that the appearance is given that the hustler is either an amateur dealer or a fence. More often, it is in playing the role of amateur dealer that the hustler is seen, since to be seen as a fence would mean being situated, and since the hustler is essentially a con-man, being situated would mean being caught. Some persons do, however, engage in both hustling and fencing and Klockars' (1974) fence Vincent is one such case (See below, pp. 125-128).

Hustling is the practice of legitimately purchasing poor or second quality goods for the purpose of selling at a price higher than the true value the goods would command, achieving such sales by falsely claiming the goods are of a superior quality to that which they genuinely are, and explaining their 'low' price relative to the genuine superior good by falsely claiming that the goods are stolen. In sophisticated hustling operations, the claim that the cheapness of the good is accounted for by the fact of it being stolen, is not made explicit but is implied in the clandestine manner in which the hustle is performed. Emerson's (1971, p. 37) "swagman" reveals contempt for the hustler:

These guys run around like the cops are just two steps behind them or stand on 8th. Avenue flashing rings and watches under their coats. The suckers think that the stuff is hot. But if the cops grab them, they have a peddler's licence and a bill of sale. The stuff isn't hot - it's just junk from import houses down town.

The difference between hustling and amateur dealing, therefore,

is that in the former, there is no concern for the welfare of the buyer or lay receiver, just a desire to make a self interested profit through "conning". As Goffman (1962, p. 483) says of the con generally, "The con is practised on private persons by talented actors who methodically and regularly build up informal social relationships just for the purpose of abusing them".¹¹

Another area of confusion is between amateur dealing and black marketeering. Roselius and Benton (1973, p.181) say that black markets operate in an economy of scarcity where a rationing system and price cartels are used to ensure even distribution of essential commodities. Because the demand is greater than the supply the price of goods is driven up to artificially high levels, creating a black market in which goods move illegally at prices far above the official price and in quantities not authorized by the rationing system. Now while it is the case that amateur dealers may handle goods whose availability is limited and which are not stolen, the essential difference is in the price charged to the ultimate consumer, for such goods:

See this has become another racket, getting things straight away. See most of the things you go for now, you've got to wait. This has become another angle : you can get things straight away. You know cars, washing machines, televisions things like this. A certain kind of television. There seems to be a market now of people, who get stuff straight away and they quite possibly get it far below any price you could pay for it.

(Michael)

Thus as Roselius and Benton (ibid.) say, "A major distinction between black market and the market for stolen goods is that the prices are higher than the official market price in the former, and lower in the latter". Klockars (1974, p. 58, fn.) suggests that the "psychological atmosphere in both markets

seems to be similar". I would dispute this. In the black market, those involved are satisfying material self interest at the expense of both their own customers, and the rest of the public as consumers. The operation is run solely for profit in an atmosphere not unlike that said to prevail in the provision of illegal services by organized crime (Joey, 1974; U.S. Select Committee, 1973, p.144). In the battle for scarce resources, even those who can afford to pay lose out to the black marketeer. Klockars' fence Vincent (1974, p. 58) describes such characters as, "the most cut-throat bastards you'd ever wanna know".¹²

(B) The Location of the Amateur Trade in the Structure of Property Distribution

An analysis of members' accounts shows that those engaged in amateur dealing conceive of their own position in the structure of stolen property distribution as being different from that held by the professional fence, in terms of both the amount and the nature of the goods handled:

Jim's got someone that buys a hell-of-a-lot of stuff off him, 'cause he pinches so much, it must go somewhere. He doesn't get rid of most of it through Freddie 'cause he earns a lot of money shoplifting and the stuff goes some where, but not out through the likes of Freddie, 'cause they don't buy enough off him, not to keep him going. I think for Jim it's just another outlet for his stuff, but I'm sure he's got a lot more and a lot bigger ones, people who take a lot more off his hands. I mean the sort of amount Freddie buys, he'd be riding around for weeks trying to knock it out to all these friends he's got. So it goes somewhere. But I don't know who takes most of his gear. I don't know who gets the real big lumps of it, which I know he has 'cause I've seen it.
(Steve)

Michael makes this distinction more explicitly:

See there are two channels to it. There's the small stuff where nothing's being made on it, and there's the big stuff. The amount of big bulk stuff getting to the general public (as stolen goods) isn't much. Most of it goes to the little

person doing a fiddle in the factory. But the big stuff doesn't. It goes to the customer through the proper channels, through the shops and back that way. Now in Hertfordshire we used to get loads of tins of stuff. Tins of peas, beans, fruit salads, things like this. Used to get a couple of crates come in, say once a month. Now that used to come from the factory, where you get people having loads going out of the factory. But at that level, it's not worth too much money. It's possibly the last bit, the bits and pieces. Somebody possibly cleared out a shop or something like this, and the bits and pieces come. (Michael)

In her work on the changing organization of theft, McIntosh (1971, p.98) though only identifying one kind of receiving, i.e. "fencing", distinguishes between two kinds of theft. She describes "craft theft" arising in an urban non-industrial setting, where thieves steal small amounts from a large number of victims and where thieving becomes a routinized, fairly safe craft activity, practised by a large number of smaller work teams. In contrast she identifies "project theft", which she says arises as industrialization advances and thieves can steal very large amounts from a smaller number of corporate victims, each theft requiring intelligence work, and planning, and each being carried out by an ad hoc team with relevant skills. For our purposes, it would be sociologically comfortable to say that the supply of stolen goods to the amateur dealer derived largely from craft theft, while the supply to the professional fence originated from project theft. However, empirically, it would be incorrect. Evidence (U.S. Select Committee, 1973) suggests that the products of project theft are distributed through professional fences, although Klockars (1974, pp. 61, 87) shows that the basic source of stolen goods for his professional fence is derived from lorry drivers, who are full-time legitimate employees. His fence Vincent says, (ibid.), "I'd say that seventy five percent of my business came from drivers... You got a bunch of drivers

like I do and they're your bread and butter". As we shall see, it is from full-time legitimate employees, i.e. occupational theft, that the amateur dealer obtains most of his cheap goods. In addition, it is found (U.S. Select Committee, 1973, p.4) that the products of craft theft are also distributed, in the main, through professional fences. Cameron (1964, p.57) suggests for example that though shoplifters are not limited to selling to fences, "most commercial shoplifters furnish supplies to small retail speciality shops which function as, and perhaps are in the main, legitimate retail stores."

My findings suggest that on occasions, the amateur dealer may obtain his supply of stolen goods from craft theft, and in particular, shoplifting:

Jim's a full-time shoplifter. That's how he makes his living. He can't do anything else. He shoplifts most things, but mainly it's ready-made high quality suits. What he does, he recons he can take one off the hanger and sort of sweep it round like that, so that it's rolled up round his arm, suit on the hanger. Then it's down his trowsers, hanger an all and he does his overcoat up. He can do that double quick. He'll show up at Freddie's place, maybe a Sunday morning knock at the door. "I got some suits. Do you want them?", and he might bring round ten or fifteen and Freddie will buy five or six.
(Steve)

But as we have said, the bulk of goods from craft-type theft goes to professional fences. The amateur dealer may also obtain his stolen goods from the proceeds of a project theft, though where this occurs, it is usually indirect, via the professional fence and involved only those odd items, or "bits and pieces", that remain after the bulk of the load has been disposed of through "legitimate" outlets:

Bill was a professional fence . You know, he'd buy a lot of stuff that had been knocked off in a straight theft, perhaps an off-licence. He would come round in the mornings with these odds and ends, to Freddie's place and say, "Do you want to

make a bid for a load of fags that have been knocked off?" Freddie would go along to his place, look at the fags and say how much he'd give for them. An' Bill would say he'd been offered so and so but he'd have to see someone else.
(Steve)

However, by far the most abundant supply of stolen goods to the amateur dealer was found to derive neither from "craft theft", nor "project theft", but from industrial pilferage and fiddling, or more generally, occupational theft. That amateur dealers obtain their goods from occupational theft was recognized in the nineteenth century, by Crapsey (1871, p.499), who wrote:

The most usual 'customers' of these casual receivers are clerks, porters, or truckmen, who pilfer from the goods entrusted to their care, or who obtain articles from the business associates of their employers...

Mars, (1973, p.200) in his work on Hotel Pilfering, has said that pilfering is often called "the fiddle" by hotel staff and other workers. He describes the problem for the fiddler as one of obtaining goods from their source, directing them to his own account, and obtaining and pocketing the payment at its destination. He also describes (ibid., p.202) the "knock-off" as being a sub-type of fiddle, which is the illicit obtaining of concrete benefits, usually food, or artifacts such as cutlery or linen. The problem with Mars' analysis is that he confuses two separate activities, albeit part of the same phenomenon. A more precise analysis of these activities is to be found in Ditton's work (1974) on occupational theft by breadsalesmen. Ditton identifies (ibid., pp.18-19) "stealing" which is a more accurate depiction of Mars' "knock-off", as:

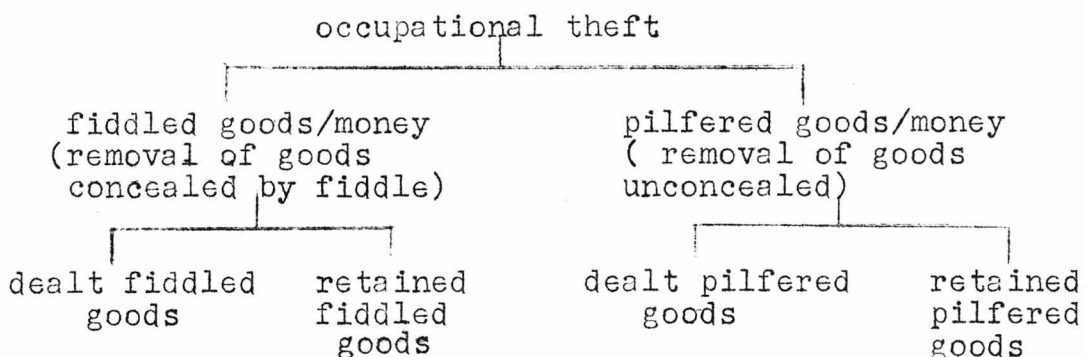
The application of ...skills to make money out of the firm: A successful steal is the removal of some sort of asset skillfully, unobserved and without permission. Salesmen steal both convertible consumer goods for re-sale to their

customers, and non-convertible assets such as plastic bags and clipboards, which as tools of the trade, make life easier.

In contrast, he defines (ibid., p. 36) the "fiddle" in the following manner:

In transactional terms, a successful fiddle refers to the practice by salesmen of invisibly altering the ownership of real or imaginary goods in transactions... to mask or cover exappropriations from money or equivalent source, within the fiddler's control.

From Ditton's analysis and definition, it would seem to me that fiddling is more appropriately the description of action taken to conceal some form of illicit money-making, from either employer, or customer, and which makes such money-making possible, or at least successful. In contrast "stealing", "the knock-off" or as I shall call it "pilfering", is the actual act of transferring the ownership of money or goods. Thus applying two criteria, (1) the nature of the occupational theft, i.e. whether or not it is concealed, (2) the purpose of the theft, i.e. whether or not it is retained, we have four categories comprising the distribution of occupationally thieved property: (i) dealt, fiddled goods; (ii) retained, fiddled goods; (iii) dealt pilfered goods; and (iv) retained pilfered goods. The following diagram (diagram 1) may make this clearer:



In this research, my concern is only with the activities

relating to dealt fiddled or dealt pilfered goods. It is worth noting in this schema that where goods are fiddled from the customer, as in the case of for example breadsalemens, (Ditton, 1974), this is still a case of concealed occupational theft since the customer-role is only constituted by its existence in the organization of the occupation. Thus, though perhaps qualitatively different in terms of style of operation and physical location, fiddling from the customer is the same phenomenon as fiddling from the firm. Both are intentionally structured activities employed by workers to conceal thefts from, different aspects of their occupational situation.

The path of distribution of the goods that pass through the amateur dealer may result from a straight forward pilfering in which no attempt is made to cover for the removal of the stolen goods by fiddling:

Any of the big factories are good for getting stuff out of. Take Marley's stuff. I can get a lot of Marley stuff. I think nearly every man in there's at it. You know the gutterings... they roll them up in little tiny rolls.
(Michael)

In this one case there was five people involved. Two of them worked in this factory and... used to steal goods. This was mainly electrical drills and things like this, Black and Decker... used to steal goods and put them outside the factory door, you know round the back. Billy would go and collect them. He would give them to another bloke who would sell them...
(Frank, Probation Officer)

I think a classic case was at Toymex. I'm talking about Alladin's Cave. A man had been a coal miner, and he'd excavated a cellar beneath his council house garden... shored it up, did the job properly. And this backed onto a churchyard. And so the employees of Toymex used to steal these boxes of race-track sets and they used to be transferred to the "Cave". Then orders were taken. You could specify which set you want, and then go down into the 'stock room' and there you are.
(Mr. Morgan, Probation Officer)

Indeed, as a recent report on pilfering (Palmer, 1973)

points out, such activity is often tolerated by management who'd rather turn a "blind eye" to the losses, than upset employees with strict security checks. In most cases accounting systems reveal pilfering losses in the form of "stock shrinkage", of which a figure of two per cent is considered (ibid) acceptable.

However, the most frequently occurring form of supply to the amateur dealer which I encountered was that of fiddled goods. Four modes of operation can be identified as being essential to this system of occupational theft: (1) The preparation of goods for removal; (2) A fiddle to conceal their loss; (3) Removal of the goods; and (4) Sale of the goods to the amateur dealer. There is evidence that all these modes of operation can be performed by one individual:

He lifts the paint from where he works in Local Government. He used to over order on the jobs. It works like this:they estimate for the whole street and what is over the Local Government don't want to know about so they've got to lose it. He might estimate for two coats, but only gives it one, something like that. So he puts what's over in the back of his motor and brings it round to me.
(Roy)

A similar one-man operation is described by Mars (1973) in his work on hotel pilferage. He says (ibid. pp. 203-4) that in lounges serving tea or coffee fiddling may be extremely simple. A waiter may receive an order for two coffees. Unlike, the above example where the goods were over-ordered, and under used, in this case, the opposite occurs. Mars says the waiter goes to the kitchen, orders a single coffee, fills in a docket and passes it to the checker. In return he receives a standard coffee pot, a standard milk jug, and one cup and saucer. By strategically placing extra cups and saucers in or near the lounge, a

waiter can make his double sale from his single order, and thereby pocket the money for the extra coffee. Here, however, the pilferer/fiddler is not selling to an amateur dealer but direct to the ultimate consumer who reaps none of the benefit of the operation; though he does not lose by it either.

The most manifest appearance of fiddled goods is that where a division of labour occurs between two individuals. Indeed, in the above example, although the waiter's operation is possible alone, as Mars (ibid) points out, 'often it requires a "bent" helper in the kitchen who can supply larger quantities than the lesser order would merit, or stronger beverages that can be more readily watered. It can be argued (Ditton, 1974a) that where managements turn a "blind eye" towards pilfering, this represents collusion between management and worker, making "turning a blind eye" itself part of the fiddle. In terms of suppliers of amateur dealers, this division of labour occurs between a storeman or warehousemen and driver. Modes (1) and (2) that is preparation, and the fiddle are performed by the storeman, Modes (3) and (4), that is removal and sale are performed by the driver. Examples of this system are numerous:

Like the guy with the car parts. He goes and gets them and they come straight from the factory where they are made. He kind of goes in there and gets a few more put on. You know he drops them a fiver say and gets a couple of wings put on. Just a kind of back hander... because they can always write them off as damaged stock or something like that... See depending how well you know the guy in the stores, or send somebody down who knows the guy, you can get twice the quantity that you buy.
(Michael)

You know everyone up there's working for industry and there's a lot of bits around. Now a friend of mine up there is a store keeper for the C.E.G.B. you know the electricity people.

Now the stock that they carry is nobody's business ...and he has supplied me with bearings, free paint sandpaper, and tools, including a couple of micrometers, a torque wrench and a socket set... I mean this is stuff that he can legitimately write-off as a store-keeper. And everybody does it. I mean all the store-keepers are doing it, all over the country.

(Derek)

We got a mate who works for Wash-o-matic, and he delivers 'em. What happens is they go out and get a consignment. There he is with his mate loading them up. The bloke who's doing the loading says, "How many we got on today Jo?" "Fifty washing machines". Right on goes fifty six. So that's six washing machines. Right he tells the bloke whose selling them, they get the backhander to him and the bloke whose loading them and carting them away.

(Stan)

A lot of fiddling goes on with these grocers chain stores. The stores are independent, but they all buy their stock from a big cash and carry warehouse. They have to agree to order so much I think it's over a hundred quids worth a week, to belong to the organization. Well the blokes at the warehouse would say to the lorry-driver, "Bung this on your lorry and so and so will have it on the round". They give the blokes in the warehouse ten quid each to not notice anything. The lorry-driver would show up at Syd's shop with the order and the driver might say, "I've got a load of cheap stuff for you", which he'd already agreed to have.

(Steve)

Emerson (1971.pp.35-36) illustrates in more detail just how the storeman operates modes (1) preparation and (2) fiddle:

The mainstay of his operation is high quality clothing, boosted by a freight handler who works in a cargo shed of an international carrier at Kennedy Airport. By checking the manifest orders on incoming cargo, the booster can spot and select the merchandise he knows Tommy can use... After selecting two cases of the freight he wants, the booster removes them from the cargo flow rack and puts them with other freight on the floor, near a hallway that leads to a side door. As far as company records are concerned, the two cases now become "missing en route".

In this case, however, "Tommy" the amateur dealer, performs modes (3) removal and (4) sale, since he deals directly with the cargo handler, and does not rely on the services of a driver (ibid p.34):

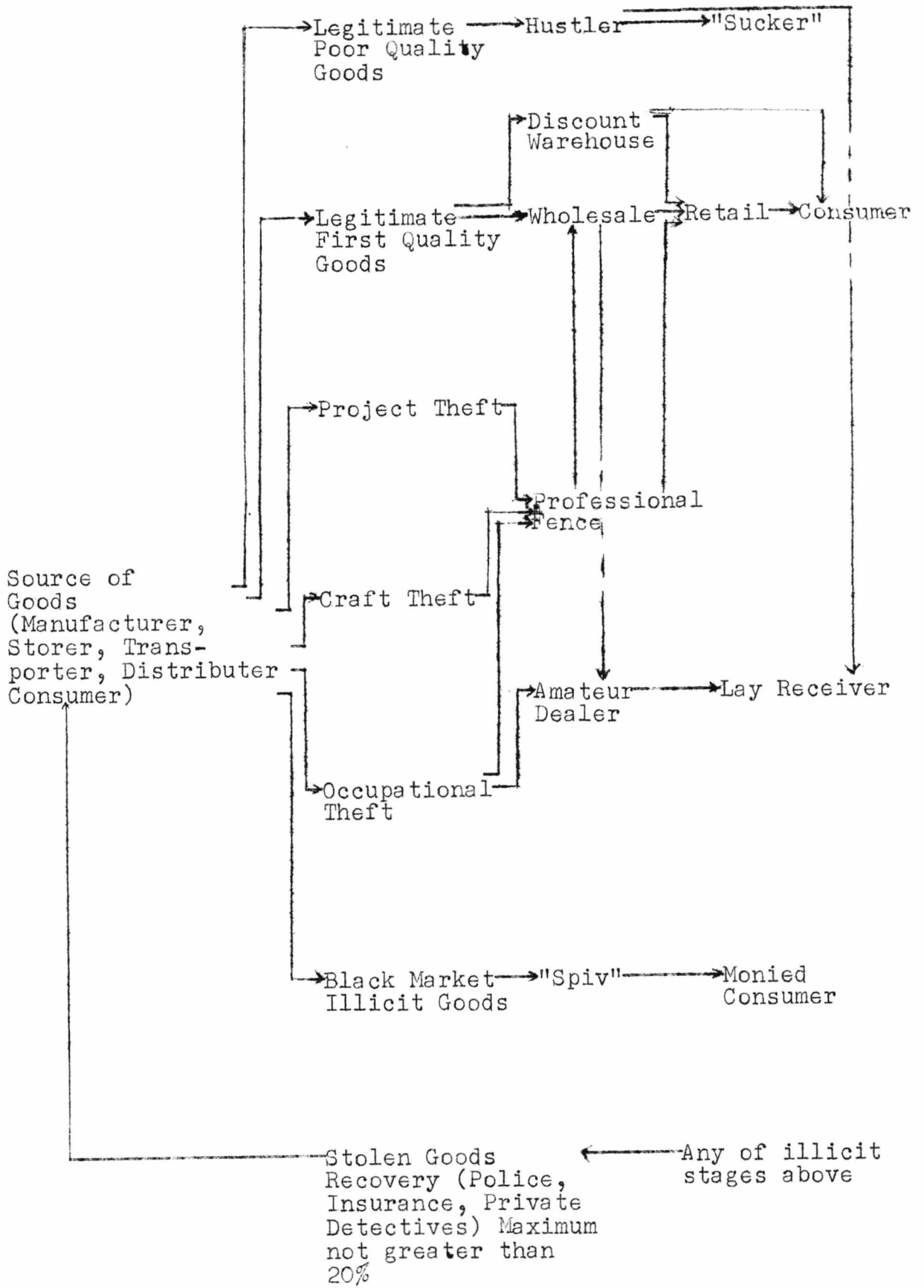
Staying cautiously below the 20-mile-an-hour speed limit, we cruised counter clockwise around the parking lot in front of

the airfreight buildings. On our second circuit, peering warily through the side and rear windows, Tommy made an abrupt right turn into a wide driveway between two of the buildings; then he U-turned and pulled up in front of a side door. Almost immediately a man in a grey cargo-handler's uniform came out and opened our rear door. Without a word the man quickly placed two large cardboard cases on the floor of the back seat and vanished back into the building. Tommy eased the car away as casually as he had driven up. We made our way out of the airport ...to a small cocktail lounge...parked outside, and checked the cases for the first time. They contained two dozen leather jackets imported from Denmark. Total retail value: about 2,500 dollars.

The diagrammatic representation (diagram 2) serves to summarize discussion on the location of amateur dealing and lay receiving in the structure of property distribution.

In terms of the kind of occupations that lend themselves most readily to on-the-side amateur dealing it is clear, as with professional fencing, that the most fertile occupational role is one which affords easy access to both a source of cheap goods, and a market in which to sell them. While it would seem that almost all legitimate retail stores are ideally suited to the practice of amateur dealing, as we shall see in more detail later, the fact that dealing is the retailers' professional occupation, means that the special qualities of the amateur enterprise are not present. Thus his customers are not lay receivers, but legitimate consumers, and his suppliers are in the main, legitimate suppliers. Indeed he is in the very context not conducive to amateur dealing for to engage in amateur dealing he would have to render his legitimate sales context illegitimate. If he does buy stolen merchandise he may cut-price these goods in selling to the public, but this changes the nature of the relationship both with the supplier and the lay receiver from a social, to economic,

Diagram 2



which as we shall see later, undermines much of what the trade means to the members. Because of this, opportunity for amateur dealing in the case of the legitimate retailer, is either limited to inter-retailer deals or very easily slides into professional fencing.

A month later the driver might show up with a load of salmon which he didn't particularly want but which he had to have.

They used to sell a bit in the shop but most of the time, it doesn't go on the shelves because they had to get their money back. It's just introduced into the stock and not put in the books. But not much went on the shelves 'cause there was too much of it. Twelve cases of Salmon to a bloke who might sell two tins a week, is a hell of a lot of salmon. He used to push it on like a normal receiver to his brother who worked in London at Lloyds and he'd go around touting it at Lloyds and because it wasn't a shop situation, but a work situation, he used to sell more at work, than Syd would sell in his shop. But in the end he was just selling it to other shop-keepers at the same price he bought it, just to get rid of it and get his money back.
(Steve)

There are, however, certain occupations which though not themselves involving buying and selling are ideal in furnishing the opportunity to dabble in the enterprise of amateur dealing. Basically, these are occupations in which a large number of different people are met separately but regularly for short periods of time. Thus the vintage occupational styles are those of service industries (Ditton, 1975) such as the roundsman delivering goods to regular customers. A brilliant analysis of how this works in the case of breadsalesmen is given by Ditton (1974, 1975). He describes (ibid. pp.24,28) the process of interaction whereby the salesman set-up and engage in regularized, "traffic deals" or post hoc "trade deals" for the sale of "hot" bread or cakes, or "sidelines" of eggs, potatoes, or even stolen radios and coats. In my research Derek explained to me how his, "local friendly

coalman" supplied him with timber, bricks and general building materials:

He seems to be able to acquire most building stuff. But there are so many people that he comes in contact with through his job... I mean he's delivering coal all day, everyday, and he doesn't just deliver to miners, he delivers it to local firms and so on. There's a brick factory just a few miles away. I suspect that he knows someone there that works there. There's a timber yard over at Renton, I suspect that he knows someone there or somebody owes him a favour. He's given them coal, this sort of backhanded business.
(Derek)

Ray told me of an ice-cream man "who's pretty good and gets anything". Similarly qualified occupations are those in which the work role requires regular visiting of different shops or factories: Thus "Steve" the ex-plumber's mate explained:

Mostly what I know is in printing firms around London, 'cause that's where I worked with Freddie. He's a self employed plumber doing plumbing in industrial firms, but mostly in the printing trade. In the trade of blockmaking they use a lot of water because all the machines have got water. See he has regular contracts. He's not just got one firm, he's got a lot of people and a lot of firms.

It's now reached the stage that if anybody wants anything, a radio, tape-recorder, electric drill, or suit, they don't go and buy it they wait for Freddie to come around and say can you get it for me. He's got such a name now in these places where he works, through getting so much, that he's had to cut down.
(Steve)

Another occupation of this kind, where the amateur dealer moves around, is that of sales representative, an employment which also provides them with a source of cheap goods:

A favourite gig with the reps is that they all get their free samples, and they "out it" at the back of their vans. Say they get given a thousand pounds worth of free samples to distribute to their customers. They'll only let out two hundred's worth, the rest they'll hold on to and change for something else. A lot of cigarette reps do this. But this guy I know works for one of the perfume companies. And he kind of backs his van round the back of the hotel and they off load all their goods, and he off loads all his stuff into there.
(Michael)

However, it is not necessary that the amateur dealer's occupation is one in which he moves around. Perhaps the classic of the situated amateur trade is that afforded by hairdressing business. An amateur dealer insightfully reflects upon why this is so.

Most of the people I've always met have been in hairdressing. It's always been good in that respect... well you're communicating with them, you're actually handling them. It's very rare business, you know there is nothing quite like it for that sort of thing. No where else do you get into a relationship in such a short time.
(Michael)

Nevertheless, occupation need not be relevant in the amateur dealer's enterprise. It is quite possible for his periodic regular relationships to be created independently of the work place, typically in a pub. For example, "Tommy", the amateur dealer in Emerson's report (1971, p.34) is an electronics technician by trade. He obtains most of his goods from a cargo handler at Kennedy Airport, and sets up sales deals at a number of places including a local bar, his own house, and even in his car.

As I suggested in the previous chapter with the customers of the professional fence, there is no one kind of person ^{who} is more inclined to engage in lay receiving than any other, some commentators and indeed, some of my own interviewees, believe that the most likely to buy cheap or apparently-stolen-goods are working class people. But, while different persons might have different reasons for buying, scrutiny of the actual exchanges that take place shows that "demand" for cheap goods comes from all sectors of social life. As Emerson (1971, p.34) discovered, the lay receivers who bought from "Tommy" were "middle class", "professional and blue collar workers, who appreciate

quality merchandise and are always willing to buy swag". As well as making sales to the owner of a beauty parlour (for his own use) and a cop, who bought a suit and jacket, one of Tommy's best customers was a dentist. Emerson says (ibid. p.37), "Most of Tommy's customers like the dentist, can afford to maintain adequate wardrobes by shopping in retail stores. But by dealing with Tommy they can get more for less, and people are always ready for a bargain." In my own research, I have come across a few people who will absolutely not buy stolen goods. However, I found that most people either did so regularly or had done so in the past. Ironically of those that would not, all were non-the-less prepared to buy a bargain.

(C) Caveat Scriba, Caveat Legenda: Accounting for the "Other Side of the Fence"

It is imperative to realize that "professional fence", "amateur dealer", "lay receiver", "hustler", do not represent actual persons, but specific social types or collections of behaviour, in which social actors creatively engage. An implication of this is that the same social actor may engage in any or all of the activities. He may 'be' a professional fence and an amateur dealer, a hustler and a lay receiver.

Despite the interpretation which Klockars (1974) would like us to believe, rather than advancing a sociology of professional fencing, The Professional Fence describes the activities of Vincent, a social actor. It is my contention that Klockars is either unaware of the difference, or more probably, deliberately suppresses his awareness, in order to present a popularly interesting portrait of

his subject. To Klockars, Vincent is a professional fence. He says (1974, pp. 164,172), "It is obvious that Vincent is but one type of dealer in stolen property..." and that "...fence" is a satisfactory vehicle for thinking about the kind of trader in stolen property in which Vincent is historically and sociologically typical".

However, as I demonstrated in Chapter 2, pp. 95-99 Vincent not only engages in the activity of professional fencing, but also a number of others. In particular he is a practitioner of both amateur dealing, and hustling. Indeed, it is arguable that many of the sociologically interesting aspects of his buying and selling are those in which he displays the special qualities of both these enterprises. Vincent's dealings (ibid. pp. 152-58) with old friends and his concern for persons in need are evidence of his participation in amateur dealing; they are irrational in the context of his professional enterprise. Likewise is his desire for status when he talks (ibid. pp. 93, 113, 105) of important customers, and reflects on his "statesman" like or mayoral role. ¹⁵

However, perhaps the most pronounced manifestation of Klockars' confusion over professional fencing is in his consideration of Vincent's retail trade. As the only area of Vincent's selling which receives detailed analysis the retail trade is very interesting. Of this Klockars (ibid. pp. 105-6) says:

In important respects Vincent's retail customers serve both as an audience and as actors in scenarios in which Vincent plays a number of roles.... The luxury of using a retail store as a vehicle of self expression is permitted Vincent only because he earns his real money in trading that his walk-in customers never see.

This is very interesting, but is it professional fencing?

I think not. More importantly, I think that the reason Vincent's retail trade is sociologically interesting is because with the exception of the above examples, it is fundamentally a sophisticated example of hustling. Certainly, Vincent sells goods retail, but Klockars (ibid. p. 77) admits that, "At any given moment roughly eighty per cent of the retail stock on Vincent's shelves is legitimate". Vincent himself says that he can often buy cheaper legitimate than stolen. And Klockars (ibid. p. 77) says, "Vincent prides himself in buying dead stock, damaged merchandise, factory close-outs, over-runs, and the like at especially low prices." In other words his retail stock is eighty per cent second quality legitimate merchandise. But everyone 'knows' Vincent is a fence. For Klockars, having a reputation as a fence is an essential characteristic, so much so that he makes it part of his definition of the activity. He says (ibid. p. 172), "Third, the fence must be public...

...must acquire a reputation as a successful dealer in stolen property among law breakers, law enforcers, and others acquainted with the criminal community...

But why is this necessary? Because to be known as a fence is the greatest asset of the hustler. Vincent, originally a hustler, is fully conversant with the benefits that this can bring and he actively encourages the "fence" image in order to hustle his 80% legitimate retail stock.

It could be argued that Vincent is using cut-price legitimate goods as a "loss leader", attracting customers to his store on the second quality merchandise, in order to sell them stolen goods.¹⁶ But he does not do this. On the contrary if anything, his stolen goods act

as a "loss leader" for his cut-price legitimate goods. Let Vincent (ibid. p. 79) explain:

See, most people figure all of the stuff in my store is hot, which you know it ain't. But if they figure it's hot you can't keep 'em away from it. It's just like the old hustler bullshit all over again. People figurin' they're gonna get something for nothing. You think I'm gonna tell 'em it ain't hot? Not on your life. In fact I tell them it is hot. I got this guy who comes into my store...he's got a loudspeaker in his car. Sometimes when he drives by he'll say, "Ladies and Gentleman, I want to call your attention to Mr. Vincent Swaggi's store on the corner of the street. All stolen merchandise, Ladies and Gentlemen, all stolen merchandise. See that's the kinda bullshit I gotta put up with with the clowns I know. But when you come right down to it, he's helpin' my business by sayin' that. (My emphasis)

Indeed, Klockars (ibid. p. 75) implicitly admits this when he says, "Vincent will claim some entirely legitimate goods in his store are the fruits of a particularly public burglary or robbery he has read about".

Vincent's retail trade then, is more hustling than fencing. That Vincent's "real" money (according to Klockars) comes from his wholesale trade means that he is actively engaged in the professional enterprise. Vincent then, is admittedly a professional fence, but he is other things as well. He is an amateur dealer, notably a hustler, and undoubtedly a lay receiver. In short, Vincent 'is' a professional fence; but professional fencing is not all of what Vincent is.

(D) Sociological Interest of the Amateur Trade

Having now seen the origin of the goods supplied to the amateur trade it may be realized that in one respect the amateur trade in stolen goods is sociologically more interesting than that of its pure professional counterpart. Unlike professional fencing, in which a commitment has been made to illegality, and where a criminal career is adopted and developed by the practitioner in a way not

dissimilar to the way a legitimate career is developed, amateur dealing, and more so, lay receiving involves a considerable amount of morality management. In the case of wholesale handling of the products of project theft the fence receives goods in the full knowledge of their stolen nature. Between buyer and seller there is a total openness of the illegality of the activity. However, when the goods are resold by the fence, they are often sold as legitimate wholesale goods. Thus the identity transformation of the goods takes place through the manipulative work of the professional. For the person, be he a retailer, another wholesaler or customer next along the line, there is no notion of dealing with stolen goods. He neither suspects nor is allowed to know that the goods he is to purchase have an illegitimate origin. Indeed, he may not even be getting them cheaper than his legitimate purchases. In short he is what, Colquhoun (1800. p. 195) described as a "Careless Receiver", Crapsey (1871. p. 500) described as an, "Involuntary Fence", and what Reselius and Benton (1973. p. 191) describe as an "Unaware Consumer".

In contrast, in the case of amateur dealing, no such straightforward identity transformation occurs. Smaller quantities and exchanges occurring out of a legitimate exchange context in part preclude this. Thus in order that goods can pass in this path of distribution, the lay receiver must actively co-operate in the transformation of the stolen goods identity. The joint 'social' work and moral bridging whereby this is made possible represents an underlying theme of exchange in the amateur trade and it will be examined in the following chapter.

Chapter 4

FENCING WITH ACCOUNTS : THE LANGUAGE OF MORAL BRIDGING

FENCING WITH ACCOUNTS: THE LANGUAGE OF MORAL BRIDGING

It is the explicit will of the State that persons do not engage in activity involving the purchase of stolen goods. Under English Theft Law (Theft Act, 1968, s.22, See Chapter 1, f.n.l.) such behaviour is defined as a criminal offence, offenders being liable to anything from a fine to a maximum of fourteen years imprisonment. Despite these moral and penal disincentives, many ordinary members of society continue to practise the activities of amateur dealing and lay receiving.¹⁷ The analysis that follows examines how symbolic moral constructions and interactional processes protect persons from and make them oblivious to the possibility of State punishment, allow them to maintain a self conception of "goodness" in the face of adverse moral judgement, and fundamentally, free them from the moral bind of law. In short, ^{I look at} how language use bridges the actors' morality and thereby frees them to engage in the purchase of stolen goods. More generally, I am concerned with how ordinary members of society are not inhibited from undertaking criminal activity. Inevitably this concern must address the issue of motivation.

(A) Motivation Theory

In the extensive discussion of motives, three basic levels of conception are evident: i) motive as an actor-based phenomenon, somehow responsible for generating a person's behaviour; ii) motive as an observer-based phenomenon associated with making others' behaviour intelligible and iii) motive as a processual phenomenon, releasing a person from moral ties.

The most deterministic rendition of the actor-based

conception is the psychological interpretation in which motive is held to be something within an individual that is "activity-arousing" (Newcomb, 1950), and of which he may be "unconscious" (Freud, 1957). In this perspective, language, or the actor's account of his behaviour is dismissed as merely a deceptive device or rationalization, for concealing some inner real motive (Jones, 1948; Allport, 1938).

This approach to motivation is dismissed by those who see motive as more to do with the observer than the actor. Persons act not because of motives but for reasons. Their behaviour is intentional but not deterministic. Thus Peters (1958, pp. 27-38) argues that psychologists have interpreted the logical force of the term "motive" causally, by postulating a particular sort of causal connection between pursuing a goal, and some "inner spring" of action. While a person's behaviour may be motivated towards some goal, there need be no "driving force" responsible for initiating this purposeful behaviour. In short, persons act because perceptions have meaning for them (Weber, 1957; Schutz, 1972). In this context, language is not simply a rationalization surpressing an unconscious motive, but the manifestation of meaning, and by organizing meanings through identification it is itself a reason for acting (Mills, 1940; Foote, 1951). This non-deterministic reinterpretation of the action generative conception of motive is elaborated in Chapter 6.

That motive appears as more than a special kind of reason why a person acts, says Peters (1958), is a feature of the observer's post act relationship to the

actor. He says, (ibid. p. 29) "we only ask about a man's motives when we wish, in some way, to hold his conduct up for assessment". When we ask of motives we are both expressing a judgement that a man's behaviour represents a breakdown in conventional expectations, and demanding more than his reasons for acting. We require a justification or a special kind of reason which will tell us under what directive the action was performed. Similarly, Mills (1940) has argued that motives are the terms with which interpretation of conduct proceeds and as such are avowed and imputed by both self and others on occasions where behaviour is up for questioning. Imputation occurs when others behaviour is untoward or unexpected. Avowal occurs when it is anticipated that one's own behaviour will be judged unexpected. The imputation and avowal of motives are themselves social phenomena to be explained.

The perspective of motive as observer-based therefore provides us with two aspects of the phenomena. In one, the imputation of motives, we have the political act of making other's behaviour intelligible. In the other the avowal of motives, we have the political act of handling others' interpretations of one's own behaviour.

(B) Imputation of Motives: The Politics of Reality

When an agent imputes motives he is not trying to describe social action, he is influencing others and himself. Thus we need not treat an action as discrepant from its verbalization, for in many cases it is a new act. (ibid. p. 440)

Imputation of motives follows the interpretation of someone's behaviour as unexpected or untoward. Schutz (1972) has distinguished between two sorts of interpretive understanding. He sees the genuine understanding of the

other person as different from the abstract conceptualization of his actions and thoughts as being of such and such a type. The genuine understanding of a person is a kind of perception where we intentionally grasp his subjective experience. The judgement of a person's behaviour as of a general kind is merely ordering our own experience into categories or "self elucidation". It is this latter kind of understanding that we are engaged in when we talk of imputation of motives. In an extension of Schutz's thoughts, Blum and McHugh (1972) have argued that motive is indicative of the social processes by which we understand others' behaviour. They maintain that motives provide us with inferences as to what is taking place in the minds of others:

To provide a motive is to formulate a situation in such a way as to ascribe a motive to an actor as part of his commonsense knowledge, a motive to which he was orientated in producing action. To give a motive is thus not to locate a cause of the action, but is for some observer to ask how a behaviour is socially intelligible by ascribing socially available actors' orientations.
(ibid. p. 30)

Motives then are not the properties of members, but the socially organized treatments or social rules for making sense of others' action by ascribing particular orientations to them.

However, Blum and McHugh (ibid.) warn us that as sociologists, we are no different from other members in the manner in which we attempt to explain action. That is, we do so in terms of typical motives which we supply out of our sociological framework of understanding the world. They argue that what is required in studying motives is not the practices of sociologists but members, i.e. a description

of the social conditions which produce the practical and ordinary use of motives in the mundane affairs of societal members. Therefore to conjecture the possible reasons for acts of motive imputation is itself tantamount to self elucidation. Nevertheless, it would be sociologically insensitive to ignore the significance of the observation that motive imputation occurs where behaviour is judged unexpected or deviant. It is my contention that rather than merely reflecting the way we, as sociologists, perceive the world, this coincidence represents an example of the political management of reality.

Persons have vested interests in maintaining their conception of reality as the reality. For privileged, or dominant groups, economic interest may entertain a desire to maintain the status quo. But even ordinary societal members have a vested interest in maintaining their conception of reality, if only "because it provides them with reasonably warm comfortable caves" (Berger, 1966, p. 121). However, if we accept that reality is a socially constructed collectively agreed set of concepts, assumptions, justifications and defences (Berger and Luckman, 1967; Goode 1970) which at any moment may be knocked sideways by the appearance of counter realities", (Box, 1971, p. 49), then our appreciation of the threat, symbolized by behaviour judged to be deviant, must be sensitized. Thus Goode (1970) asserts that in order to preserve and legitimate one distinct view of the world, it is necessary to discredit competing views, so that the one view of reality is seen as the only view possible, as the reality. One of the ways of subverting the challenge of deviancy, is to impute motives to deviant behaviour in

such a way that realigns it with, and thereby confirms the dominant reality. Behaviour judged to be deviant will therefore be categorized into a pre-existing framework of suitable explanation. As silverman (1972b, p. 167) has observed:

When potentially disturbing events occur, cook-book knowledge allows us to take their sting away with a label (a dream, a hallucination) or with a recognition that, while we may not be able to understand the experience, nevertheless there are experts (doctors, scientists, priests) with knowledge to transform the problematic into the routine.

In a recent work on police complainants, Box and Russell (1974) describe how the potentially socially disturbing activity of complaints against the police is undermined by the imputation of motives. They account for the small number of substantiated complaints, in terms of police ability to discredit the plausibility of complainants (ibid. p. 5) by imputing various discrediting factors to them, such as, "...arrest, prosecution, previous conviction, mental illness, and drunkenness". (ibid. p. 11).

In my study of non-professional receiving, I found that two kinds of motives were imputed to amateur dealers and lay receivers alike. One was that of cupidity. Just as commentators (U.S. Select Committee, 1973, p. 4) on professional fencing had imputed the motive of the greed of gain of many legitimate businessmen, so an occasioned form of the same was imputed to practitioners of the non-professional activity:

I think it's a blend of both. It's a maximum of opportunity with a minimum of temptation. It's cupidity really, which doesn't apply throughout all the year. I mean you get a different style of cupidity at Christmas time. The woman or man who's over spent and then succumbs to the temptation which at the beginning of the year, when there wasn't the same pressures, they wouldn't have been vulnerable to. Most

of those we deal with are in this category: a sudden temptation and availability.
(Mr. Simms, Senior Probation Officer).

Alternatively, "causative factors" such as various social problems are imputed to be the driving force behind the initial temptation:

The type of clients we deal with have other problems that have led to the situations they find themselves in. Environmental, emotional, or something like this that have to be looked at, at the time of our social inquiry report, and you recommend whether they are suitable for a form of treatment. I mean we wouldn't recommend all people that have been receiving. There'd be other difficulties surrounding what led them to that offence. They would be cases where they need help.
(Miss Style, Probation Officer.)

In the course of the practicalities of everyday institutional processing of the offending, magistrates may request the Probation Service to undertake a social enquiry report. It is on the basis of the Probation Officer's judgements in this report that the offender's fate is decided. It is from this enquiry into the offender's "attitudes", gleaned from his talk, and his background, that the Probation Officer decides whether or not he will be acceptable as a client for treatment:

On the basis of the client's background and attitudes toward the offence we form an opinion as to whether there was a causative factor present or not. If it appeared that it was just cupidity, and there weren't any problems meriting our intervention or supervision we would say so in our social inquiry report and the chances are it would be dealt with by a fine or imprisonment.
(Mr. Simms, Senior Probation Officer).

Where it is the case that motive of "social problems" is imputed, the treatment of the person involves an attempt to change his attitudes to realign them with those held to be acceptable:

I think it's fair to say that we are not dealing with the crime as much as with the person. Obviously the priority is the person, and if he's committed a crime then that is

part and parcel of our job to see why and to help him modify his attitudes.
(Miss Style, Probation Officer)

I think it's like looking at society as a jig-saw. I've got a bit out of that jig-saw... an odd bit that doesn't fit. Well somehow or other, I've got to get a perfect fit, but I've either got to add bits on or take bits off as much as I'm able in the time I've got. And if I succeed I've got a bit that will go back in there, and will fit without being noticed, even if it isn't a perfect fit, and hope that it will not grow more or less so it pops out again.
(Miss Jones, Probation Officer).

In terms of the politics of imputing motives, the actor's own account of his questioned behaviour will only be honoured if it reaffirms the conception of reality of those having the power and authority to do the questioning. In a recent empirical study Taylor (1972) found that the accounts given by sexual deviants would be accorded significantly more credibility by magistrates if they fell into the excuse/apology category, than if they fell into a category of justification which represented a direct challenge to the dominant reality. In my own research, this honouring was reflected in the way an offendant was judged to be suitable for probation. If his talk reaffirmed the probation officer's conception of the cause of his crime, he would be considered suitable for treatment; otherwise he would be left to the mercy of the judge:

You've seen the home background and the family, and you come to the stage where you make a .. you pass a professional opinion as to whether or not they'd be suitable to a particular form of treatment. If you can see that it's environmental and that probation won't stop it then you state that in your report. If a man comes in and says, "I really want shot of this. I live in an environment where I can't stop it", then that's a different matter. The probation could perhaps help in as much as you could be instrumental in having him rehoused to another area if this is what it was.
(Miss Style, Probation Officer)

In so far as this is true then, it illustrates the case

that men are rewarded or punished not for what they do, but for how their acts are explained. As Szasz (1973, p.23) says, "It is perhaps for this reason that men are often more interested in better justifying themselves, than in better behaving themselves."

(C) Avowal of Motives : Accounts as Self Defence Mechanisms

In a context where a man's account results in differential decision about his fate, commentators have often argued that it is offered as a self defence mechanism to protect against recrimination. As Mills, (1940, p.440) has said, "The differing reasons men give for their actions are not themselves without reasons." More recently, Scott and Lyman (1970) discussed the notion of accounts as statements providing a means of repairing breached sociation and thereby relieving a person of the culpability for untoward or unanticipated acts. Similarly, Goffman (1971, p.139) describes accounts as remedial work, whose function " is to the meaning that otherwise might be given to an act, transforming what could be seen as offensive into what could be seen as acceptable". It is important not to confuse Matza's (1964) concept of "neutralization" with this perspective on self defence functions of accounts. ¹⁸

As Scott and Lyman (1970) argue, if the account offered by an actor is unacceptable, he will be unable to relieve himself of the negative interpretation of his intentions, and a deviant label may successfully be attached. In order to avoid this, the deviant may normalize his own behaviour by imputing motives to it in the manner of an observer. This has the effect of demonstrating that his

present identity is different from that which conducted the deviant behaviour, and more importantly, that it is in line with prominent views of reality. In his work on child molesters, McCaghy (1968) describes this process as "deviance disavowal" as does Davis (1961). He says it is an attempt by the child molesters to avoid the imputation of the deviant label and so manage his identity in such a way as to sustain a definition of himself as normal. McAndrew and Edgerton (1969) likewise argue that bringing up people to believe that they are not themselves when drunk, allows them to conceive their behaviours as episodic happenings which are not really them, or not part of their real identity.

An interesting recent contribution to this perspective is Klockars' (1974) concept of the "metaphor of the ledger". In this, Vincent, Klockars' fence dispels the application of the deviant label and thereby any adverse judgement of his moral character, by assessing his past deviancy in the light of his total past behaviour. He says, "Sure I've done some bad things in my life. Who hasn't? Everybody's got a skeleton in his closet somewhere. But you gotta take into account all the good things I done to. You take all the things I done in my life and put 'em together, no doubt about it, I've gotta come out on the good side." (ibid., p. 151). Ditton (1974, p.7) however, may rightfully claim that this is little more than an extension of the "biography", originally a Goffman (1961) notion.

In my work, this self-normalizing process rarely appeared in its apolgetic form. When it did occur, however, it was used to reject the application of a deviant label by suggesting diminished responsibility due to a temporary

mistake or human failing:

My husband is not a criminal and I don't give a monkey's who says he is. He is not. I mean he's not got that type of mind. He's not criminally minded...not a smoothy or anything like that. He said to me "I'd never do a thing like this again", because it just wasn't in him. He just made a stupid mistake and that was it. See he is just a little bit easily led.

(Margaret)

However, the attempt to normalize the interaction often takes on a more Machiavellian air. As Blumstein et al (1974, p.552) argue, "because normal actors are aware that the responsibility attribution process is triggered immediately following an offence, they are eager to manipulate this process to their advantage". In order to convince the offended it is often necessary to employ official functionaries, (lawyers) who may actually change or reinterpret the beliefs of the defendant so that they are verbalized as an acceptable account. Only then will he obtain a successful defence. Scott and Lyman (1970, p. 108) expressed this well:

The actual behaviour and beliefs of the actors in the untoward event in question are sometimes wrenched out of the original context and pressed into a procrustean bed of publically acceptable action and morality. Abstruse legal rhetoric is itself used to mystify, so that the inevitable gaps between different value and belief positions in the conflictful pluralistic society will appear bridged. The language of law - like a magical incantation - creates the illusion of consistency and coherence,

Where persons held to be deviant are denied access to the knowledge or the means to employ official functionaries, then they may attempt impression management alone. As Blumstein et al. (1974, p.552) say, for this to be acceptable, "the offender must establish the credibility of his account by assuring its internal consistency and congruence with the facts..." But Box (1971, p.130) points out that they may be

sufficiently perceptive to see that those questioning them will see through any front that they may put up:

(The actor) fearing the situation of apprehension may imaginatively construct an account of what it would be like. What he constructs may be unpleasant because he visualizes himself as someone who can be seen through. He imagines the officials to be sensitive to his delinquent conduct, and extra sensitive to his reasons for doing it. He thinks they will see into him... and that no amount of flannel or pretence will save him. He fears they will not listen to what he says instead they will peep into his innermost thoughts and say in effect "Don't kid us sonny Jim, we know you intended it". (ibid.)

To remove the cause of this perceived vulnerability, that is the unauthenticity of his account, the actor may engage in "biographical fabrication" (ibid.). He may alter his belief about his intentions so as to really believe in his own innocence. Should his innermost thoughts be tapped he will be revealed to be telling the truth.

In the context of discussion on defence of the self, commentators have identified many kinds of account. It is usual for these accounts to be classified into two basic kinds: excuses and justifications. Scott and Lyman (1963) say that excuses are those in which the actor accepts that the act in question was wrong, but denies responsibility for it. Likewise, Taylor (1972) defines excuses as those accounts where the offender says he denies he intended or planned the behaviour, but that it was decided for him and is therefore involuntary. Justifications, on the other hand, say Scott and Lyman are denials that the act in question was wrong, and asserting that it has positive value, while at the same time accepting full responsibility for it. Taylor (1972) says these are accounts where the offender describes his deviant act as consciously planned, desirable, enjoyable and voluntary. In the most recent work, Ditton (1974b), categorizes the

actors' statements into a typology of self maintenance terminologies. Under this schema, accounts are either "Defensive Lingualisations", which are composed of apologetic restitutive justifications, or they are "Offensive Lingualisations", composed of radical retaliatory justifications (ibid., p.9).

The depiction of the actors' statements of their behaviour as being offered in order to defend the self is speculative sociological interpretation; if not itself political imputation of motives. While I admit that accounts may be produced for self-defensive purposes, I believe it is impossible to state categorically the reason for production of particular phrases. To do so is only a little less naive than early twentieth century psychological interpretations of them as rationalizations - both see language use as protecting the actor. Moreover, the classification of accounts into various types of excuses and justifications, fragments what may, for the actor, be a complete philosophy.

In an attempt to avoid disintegration of the actors' perspective and the imputation of motive to the production of accounts, I will not engage the excuse/justification classification. Instead, I will present accounts of the members studied so that they represent, what for the actor, may be a logically complete verbally expressed, philosophy.

The first component of this philosophy is the belief expressed by the actor that, "everyone is doing it". Empirical precedents can be found in the work of Cressey (1953, p.110) ; Klockars (1974,p.62) Ditton, (1974b, pp.38-39). In my research, the belief was frequently expressed:

Every single person on this earth has received something that's fell off the back of a lorry. Nobody on this earth can say they don't do it because they do.
(Margaret)

I don't know anybody who hasn't received stolen goods... something of the back of a lorry. There's not many people that haven't... you know furniture, kitchen things. I don't know anybody that wouldn't say, "Oh I don't want it". They'd all say, "Ooh can you get me one?" and they sort of ask you. I mean I just don't know of anybody who wouldn't, I don't, I really don't. If you was to scoop it all together and say this is what I've had that's fell off the back of a lorry... if you was to pinpoint them and put them in a circle, you'd get ninety five percent of the population in that bloody circle.
(Sandra)

Everyone of us has somewhere or other, received property at some time or other, whether it be wittingly or unwittingly, and I think most of us have received it wittingly. I don't think there's any of this old bollocks about you don't know you're receiving, 'cause you do. You go into a factory. You see it go on. Look 'sposen if they had jumpers to sell, and they say, "I'm selling cheap jumpers. They're four pound in the shop you can have them at a pound." You can literally sell to anybody, because people will have a bargain.
(Mary)

An extension of this belief is that even highly respected groups of people do it. Ditton (1974b, p.39) reports that supervisors in the breadsales industry, "show a similar book" in terms of fiddling as do the salesmen whom they train. Similarly, Klockars' (1974, p. 62) fence Vincent, describes how he even made a hustler out of a Seventh-Day-Adventist priest. He says, "I don't know why you make such a big thing out of the people I sold to...what makes you think that because a guy owns a business he's any different". Amateur Dealers in my study likewise exclude nobody from their charge of, "everyone does it":

There is quite a few reputable people here that buy stuff and the police wouldn't think of them in a month of Sundays.
(John)

Look all these lorry-loads that are nicked. Where do they go? It doesn't all go on one man's table does it? It can't it gets shunted around to shops. It goes back into wholesale or retail.
(Dave)

Let me tell you; you offer a bargain to any policeman. They are the biggest buyers. You offer them anything that's going and they'll have it.
(Lucy)

Whether or not these statements are true is in part irrelevant. For them to be part of a working philosophy, it is only necessary that they be believed true. Nevertheless, recent evidence indicates that they are not without foundation. Indeed, the preparedness of police officers to accept stolen goods has been highlighted in a recent case (Times, 1974) in which it was reported that one hundred and twenty police officers had helped themselves to five tons of tinned food, after a lorry had crashed on the M5 motorway. Other evidence (UPAL, 1974a; Guardian, 1975) reveals similar police activity.

Once the belief is held that everybody else does it, two corollaries follow. The first is that, "if I don't do it somebody else will". As Klockars (1974, pp.141-42) points out this expresses a belief that the consequences of the fence's private refusal to buy are nil. Similarly Stan said:

It's offered so I might as well take it. If I don't somebody else will. See if I don't take it, somebody else is going to. Alright they may not but the likelihood is that they will.
(Stan)

The second, is the dismissal of the commonly held argument for punishing those caught purchasing stolen goods: "if there were no receivers there would be no thieves". Margaret reflected:

I just don't see what John is in for. You know I think they've used him to show other people that the receiver is in a way worse than the thief, because if there wasn't receivers there wouldn't be any thieves. But that's not true because everybody's a receiver, so that doesn't apply does it?
(Margaret)

A second line of argument comprising the actors' philosophy on the purchase of stolen goods is that which challenges the need to be honest on the grounds that, "no one else is honest":

I mean the whole bloody world is bent, and people, reformers and everything want to stop looking through their fucking rose coloured glasses, because the whole bloody world is bent, and it will be while you've got bastards at the top of the tree exploiting you.
(Mary)

Under this line of argument, a belief is asserted that the most respected or supposedly honest groups in society are in fact dishonest:

No one is honest. Look if I can go into work and even find a vicar at it. Now you can't get much closer than that for being honest can you. You go in and your putting a new collection box on the wall of this church and a couple of American's come in and see what you're doing and say, "Oh here's the first money for it", and put fifty pence in the box. A bit later the Vicar comes along and says, "Everything alright?" He says, "Anyone been along?" and you say, "As a matter of fact a couple of Americans have just put fifty pence in. So the bloody vicar dips his hand in the box and says, "Oh good, I'll be alright for a drink at lunch time". Well I wouldn't have minded but I could have had it myself couldn't I?
(Stan)

Businessmen are heavily accused of being guilty to various fiddles:

I know a person who done a job and he got some cigarettes out of this shop. Now it only came to about seven hundred cigarettes. You know the shop put the price down as two hundred pounds worth or foodstuff's and cigarettes stolen. Well I know for a fact that it wasn't that much and he only got cigarettes out of there. So the manager must be on the fiddle in the first place, and with the theft he's going to have to give head office a stock check.
(John)

Indeed it is held that thefts are deliberately promoted or goods are received, in order to cover such "managerial" practices:

Go round the supermarkets. The manager might have fiddled the fuckin' till. Might be eight hundred pound down right. There might be a thousand pounds worth of meat someone's offering you ... the manager. He turns round and says,

"Right, I'm in trouble. I'll buy that meat for four hundred quid off you". Now he's only two hundred pound in the red. He's knocked the other eight out. He shows that to the Governors. Here's my books. Here's all your money.

Then there's the publican... all of a sudden he says, "Hello I've had the fuckin' Christmas Loan Club. I've took two grand from the Loan Club money. Alright I'll leave the safe open... I'll leave a window open. "Someone got in, in the night and robbed the fuckin' lot". You watch around Christmas. You see the pubs that get done Christmas.
(Dave)

However, the most heavily quoted hypocrites of honesty are held to be those concerned with law enforcement, such as Security or Police:

Apparently it's not difficult to drop coppers. Various places I've been to take it for granted that the coppers will drop in for their weekly bung. Straight coppers are few and far between. When Freddie was done for that metal it cost him about a hundred and fifty quid to keep the Old Bill quiet about most of it. I think it's more now.
(Steve)

I don't give a damn what anybody thinks. I think the biggest criminals in this country are protected by the police. I really do. Until newspapers get hold of facts and information and then it's wallop they get it.
(Margaret)

If they sorted out the police force there would be three straight coppers and they would still be pounding the beat. No straight copper has ever got any higher than sergeant. See even as much as I hate them, if they see their own sergeants and their own bloody inspectors bent then they're gonna turn bent.
(Mary)

As one informed source reports (UPAL, 1975, p. 32) where our activities are seen as criminal, "police crimes are described as 'irregularities' in order to make them sound trivial". Indeed, it is argued that there is no difference in so called 'honest' work and that of criminal society:

This country has thrived on criminal activity because they have robbed, plundered, raped in everything they have done. When Great Britain was Great, it was got

through the same ways as what there putting men in prison for today. But it's not been for a few thousand quid, that's been for millions and they've robbed Empires. But they don't call that robbery, oh no.
(Mary)

I think there is a very narrow line between a lot of big business and crime, and the whole lot stinks. People like Levy in London who buys up little plots of land in a block, palms off the L.C.C. with a percentage, in order to be able to do the deal, and comes out making forty or fifty millions. Now that absolutely reeks.
(Derek)

A recent commentary (UPAL, 1974b, p. 2) has put the position succinctly, "The law defends the thieving rich against the thieving poor. This is what capitalism is all about - calling one sort of crime honesty and another sort of honesty crime".

Not only is the activity of legitimate society held to be dishonest, but it is "their" dishonesty that is responsible for "us" being put in a position where we have to buy stolen goods: "It's them that makes us do it". This is the third theme in the philosophy. Essentially it is a Marxian perspective which transfers the focus of attention from themselves, as freely deciding individuals, to themselves as objects, subjected to the structural pressures of economic need. Three elements are blamed: poor personal financial situation, poor general economic inflationary situation, and the injustice of alternatively available legitimate employment.

Well, if you've got people on an assembly line, or a load of women sittin' at a sewing machine, you can bet your life they've all got the same fuckin' trouble, en't they? They're all sweating their bollocks off trying to get a few quid on that machine. They've all got their debt's to pay. Some are in arrears with the fucking gas bills, the electricity bills... If something comes along they're gonna have it. If they wanna call that dishonest fair enough. I say this that if they need the grub, then they ain't fuckin' dishonest.
(Dave)

They put a man in prison for theft right. Now most times that is not really because he's tried to gain anything by it, or tried to make himself a millionaire. It's because he's going out just to fucking exist. But who are the real criminals? When you've got the Government like they're doing I mean when you've got mortgages like they are, you've got bloody food prices like they are and they're stopping wages and letting pensioners live on six seventy five a week and lettin' them eat cardboard.
(Mary)

The Government blames inflation but Betty tells me that it's the Government putting all the stuff into cold storage ready for the price rises and deliberately holding it back and that's why we're paying all this.
(Lucy)

Most of the blokes here are unskilled labourers, they work in the pit, in forestry or on a farm. They don't mind dropping off the odd bag of fertilizer or whatever. They know damn well they are being paid nineteen pounds a week and their employer is earning thirty thousand a year, from his farm and although they don't bitch about it, they'll have no qualms about a bag of fertilizer falling off a trailer, or losing a rake or something like this.
(Derek)

I tell you why a person does it. You try and make a decent living around here. I used to work for a hospital, I worked fifty, sixty and at the most seventy hours a week. Forty four pounds was the most I got. Some jobs you get a different rate down here to what you do in London which is not fair anyway.
(John)

Others, however, frame condemnation of those responsible for their situation in a different and less class-conscious way, but nevertheless retain the implication that the responsibility for their deviancy lies with the trickery of a business oriented society:

It's like this. People today feel they are being got at from all sides, particularly by commerce. From morning to night they are being bombarded with advertising slogans and high pressure salesmanship. They get forced into buying things they don't want at prices they can't afford. Then when they get home, they find the goods are faulty anyway. They take their cars to garages and find the work charged for hasn't been done. They find the milkman starts delivering a kind of milk they haven't asked for just because he gets a bigger profit for it. Those things are happening to them all the time and it seems like they have no redress. So they get resentful and try to get their own back by stealing a little here and cheating a little there. Everyone else does it so why shouldn't they.
(Times, 1963)

With the belief that it is the injustices of society that are responsible for them having to take the opportunities to buy cheap when the chance arises, the fourth aspect of the philosophy follows, that they are, "only taking back what is rightfully theirs anyway". Other commentators (Ditton, 1974b, p. 42; Mars, 1973, p.202) have also noted this "Robin Hood" type element to the philosophy. The position is perhaps adequately expounded in a recent report (UPAL, 1974a, p. 33): "Shoplifting, pilfering, and fiddling are the 'honest' response of millions of people in shops, factories and offices all over the country to being exploited day in and day out, by employers who steal their labour and give them a mere pittance in return. If we nick from a big supermarket, we're not doing anything wrong. We are not stealing we are taking back what is rightly ours from the multi-million pound companies that pay shit-low wages to thousands of our workers." Similarly, one amateur dealer compared buying and selling cheap to the more general situation of pilfering and fiddling:

It's the same as when you go to work. You take what they have there. Now that is part of the perks of the bloody job. You take that just to make your little bit of wages up. It's the perks. And everybody has to get their bloody fiddle. Don't them bastards do it? Don't them bastards have their perks? I was talking to a man the other day, and he says, "Mary, if I never fiddled I would never be able to have any pocket money to go out because my wages would never stretch". You could say he's robbin' them. But he don't see it as robbery, because them bastards have robbed us in the beginning. So what he's doing... it's like a Robin Hood thing 'ent it?
(Mary)

The final component of the philosophy is the argument that the so called illegal/criminal activity which they are accused of, is actually more moral, and

because of this, more desirable, than so called legal activities. A major distinction is made here between doing things for the money, whether they are theft or business, and doing them for a genuine social need, or in a way which fairly distributes the proceeds:

You know you can talk a lot about what is legal and what isn't. To my mind this is probably technically illegal. Morally it isn't, because nobody is making money out of it... not real money. Well alright the person who's receiving the goods is saving money if you like, but he's not actually making anything. He's not going out selling the stuff... hawking it around, making a profit on it, not in actual money. And the bloke who is actually selling, he's not making much out of it. He's getting favours more than anything. It's not a business... or a shady business deal as such. It's sort of a community action group. But they wouldn't see it like that... they wouldn't understand it in those terms. They just do it. As this level it doesn't seem to multiply at all. You know it doesn't get any worse or any more rampant. It works well.. very well, and it helps the people a lot. You know from that point of view it is just not immoral... I think in fact it's very, very moral. I think it's a good thing.
(Derek)

They spend thousands of pounds to keep a woman inside for nickin' for her kids, and they say she's a terrible mother, bla, bla, bla. But is she a terrible mother? How can she be a bleedin' terrible mother if your going out and thievin' to feed your kids... because most women do not go out for gain. Now I call that a good mother. She goes out and thieves, or if somebody come in and says 'Look, here's a little bit of gear, you know go out and sell it off and keep this" ... like in the case of me, "stack this over night, and we'll give you a tenner". My kid was hungry. I needed it to feed him. So I done it. Am I a criminal? No, but they shove me away and class me as a criminal, and I can't get a bloody good Government position because it's on my record.
(Mary)

As Mars (1974, p. 226) shows in his study of dock pilferage, pilferers limit their activity according to their own moral sense of what is right. He says this is called 'working the value of the boat': "If a man works more than the value of the boat, he is taking more than his moral entitlement and this alters the nature of his action... Up to an agreed level, pilfered cargo is seen as moral entitlement;

beyond this it is seen as theft". Indeed, this gives rise to the alternative perspective, of seeing what they do as not being as bad as real theft. I encountered two further distinctions in this line of the philosophy. One was to argue that it is alright to accept "what comes your way", but not alright to go out and do a crime:

I definitely wouldn't go out and do anything. But if something come my way ... if somebody knocked on the door and said, "Hello Ray. I've got a van load of whiskey... you know if I had the money, I'd have it."
(Ray)

Like I say there are two different sorts of stealing. I wouldn't go out and break into somewhere and nick something. That's stealing. That's bad. You know like the bloke who actually goes out and does it for a living, like breaking into somewhere and nicking a lorry-load of stuff. See the people who steal that I know of they are stealing from their works, their factories or garages. They are pilfering the odd box of this or box of that. They don't consider that wrong really. That's perks to him.
(Stan)

The other distinction is the classic one between, thefts from individuals, and from large corporations, incorporating the notion of "Not hurting anyone". As a supporter of this kind of theft (UPAL, 1974a, p. 33) documents:

"It's important who we nick from. If we nick from our friends we deserve to get done. We certainly don't deserve to have any friends. If we nick from a big supermarket we're doing nothing wrong. It's a crime to steal from your brothers and sisters; it's a public service to help each other nick from millionaire companies". One of the amateur dealers said:

I don't agree to stealing from small businesses. That's really bad. But if you see some Marks and Spencers shirts with the labels cut out you're not bothered. It doesn't hurt them. They've got enough that it doesn't matter if they lose a bit.
(Jerry)

Whether each member of the amateur dealing

enterprise holds a belief in every aspect of this philosophy is difficult to know. What is more certain is that I found no objections to those aspects which were not offered, but which were put by me as an argument offered by others. It is arguable then that members choose the components that they speak from their complete or total social philosophy, as and when they deem them to be relevant to the job at hand, that is in the face of questioning. In short, verbalized elements of the philosophy are context bound, but stem from the members' total social perspective. However, holding the complete philosophy, though unspoken, may allow members to intentionally engage in deviant activity in some situations, because they know that offering appropriate components of the philosophy serves to protect them should they be questioned (verbalization), while in others it may render them morally free to unintentionally engage in such behaviour (neutralization). It is towards these aspects of members' accounts that I shall now turn.

(D) Language as a Processural Phenomenon: Accounts as Verbalization Permitting Deviant Behaviour.

Irrespective of the grounds for the production of accounts, the possibility that certain kinds can be successfully used to repair breached sociation is significant for a person's initial decision to act. Mills (1940) was the first to recognize this, and he called the limited range of socially acceptable verbalizations for a given action, the "vocabulary of motives". He argues that a person may consider the acceptability of past, present, or future action in the face of such a vocabulary. In so far as any decision about the initiation, continuence or refrain of action respects the

social acceptability of these motives, then motives function as internalized mechanisms of social control. Ditton (1974b, p.3) has neatly summarized this insight: "...the possibility of making such statements is crucial in guiding the energy-release allowing the action in the first place."

Deviancy theorists have absorbed the insight, and incorporated it into their explanation of deviant motivation. In this they assume an already acting actor and find it necessary merely to explain why the acts are deviant rather than conventional. Thus Lofland (1969, p.101) says, "If it is assumed that humans are always acting, are always in motion, the question is not what makes them act but rather what permits them to act in this way rather than that way..." Those adopting this model attempt to show how it is that deviants are uninhibited by what as observers, they judge to be obstacles to the commission of deviant acts. Because of this I will refer to their explanations as "bridging-types".

Many kinds of obstacles are supposed to oppose an actor's engagement in deviance. It is interesting to note that where theorists have assumed away moral obstacles their explanations often focus on the circumvention of other obstacles. Thus Box (1971, pp.139-61) and Hirschi (1970) have shown how deviance is a result of overcoming the absence of knowledge, skills, availability, economic, or other costs. Undoubtedly, however, the singularly most important obstacle is the moral inhibition to deviance resulting from the internalization of socially approved norms and values and sanctioned by law. Now according to Lofland's (1969) theory of closure, a person arrives at a deviant act by a process of closing in on it. Closure is facilitated by various processes, one of which is the subjective availability of an act, i.e., the actor

must define the act as moral, either permanently, by cultural/subcultural indoctrination, or temporarily by conventionalization, or "special justification". In the former, subjective availability is itself facilitated by the ambiguity prevailing in the economic and legal system; in the latter because of special circumstances.

A problem with Lofland's theory, however, is that he fails to state whether the rendering of an act as subjectively available is done purposely by the actor as a means toward achieving a certain deviant act, or is achieved for the actor without his conscious participation. As we shall see later, (pp.160-165) this distinction is crucial.

A far more elaborate bridging-type explanation of deviance is that offered by Cressey (1953) who leaves us in no doubt as to how he sees the relationship between verbalizations and the actor's deviant intentions. In his original statement (*ibid.*), on the criminal violation of financial trust, Cressey first establishes that the trust violator is both moral and deviant, by defining him as someone who has been accepted into a position of trust in good faith and then violated that trust by committing a crime. This skillfully eliminates from his concern persons who may have taken the position of trust with the intention of violating it. He then shows how the moral actor bridges three kinds of obstacles preventing his commission of deviancy:¹⁹

Trusted persons become trust violators when they conceive of themselves as having a financial problem which is non-shareable, are aware that this problem can be secretly resolved by violation of the position of financial trust and are able to apply to their own conduct in that situation, such verbalizations which enable them to adjust their conception of themselves in order to preserve an image of themselves as trusted or honest persons
(*ibid.*, p.30)

In his original statement, Cressey (*ibid.*, p.139) confers

equal power of explanation to all three elements, saying that, "the absence of any of these events will preclude violation". For this to occur the entire sequence must be present. In later renditions (1954, 1970) however, he emphasizes the application of verbalizations as the key bridging factor:

Verbalization is the crux of the problem. I am convinced that the words that the potential embezzler uses in his conversation with himself are actually the most important elements in the process which gets him into trouble, or keeps him out of trouble. (1970, p.111)

Drawing on an earlier work of his written with Sutherland (Sutherland and Cressey, 1960) on differential association theory, Cressey (1953) argues that verbalizations are not invented by the actor but are learned by him from others in situations of association. He says that differential contact with linguistic constructs gained through differential participation with others, results in differential motivation to deviance.

In short, Cressey provides an explanation of how actors may be freed from the moral inhibition against deviance by the exploitative application of key verbalizations to proposed behaviour. A more recent rendition of this formulation may be found in Hartung (1966), who Box and Russell (1974, p.23) say, "...sees nothing but a deliberate and wilful twisting and bending of the "conditionality" of the law whenever adolescents are contemplating delinquency", and who Taylor (1972, p.38) says shows the delinquent as "manipulating definitions to his own advantage".

In my own research, it is difficult to know whether any or all of the accounts comprising the philosophy supportive of engaging in the amateur trade were applied prior to the activity being committed. That in many cases there was no prior moral bind, was evident:

The kind of receiving I know about is just part of everyday life...part of going to work and coming home, where everyone is happy to get a bargain if he can.
(Steve)

Well the people I know come from one particular area of London and to them it's just an everyday part of life. They don't consider nickin' as something wrong. It's like if I go into work. Like I've got a fireplace to do in Dover next week-end. I want eighty odd foot of stone. I don't think about whether I'll get done or not. All I think is I want eighty foot of stone and I've got a buyer for it. If the Govner comes in and says, "What you doing with that stone? ", then I'll have to think of an excuse. But I'm not worried until then. I think something to do with the way you're brought up. You either say, "Oh it's stealing, I don't want to know about it", or you say, "Oh yeh, I'll have some of that".
(Stan)

Indeed, one of the amateur dealers who was prolific in making explicit elements of the philosophy, denied that most of those persons who buy cheap goods share the views she expresses, prior to their committing the act:

A lot of 'em don't think like that, no, because we never used to think like that either. I mean even the time I got done for receiving, I never bloody thought, "Oh well they've already got it out of me". I never thought like that, no. I mean you're gonna get a lot of people who don't have no political angle because they've got no bloody politics. They're not thinkin', "Oh well they're robbin'us", they're thinkin', "It's something cheap" and that's all it amounts to. We've got the money. We want it." And that's what it amounts to.
(Mary)

Nevertheless, my research does illustrate that there are certain kinds of accounts that are used in the manner of verbalizations, i.e. deliberately applied for the purpose of de-sensitizing the actor to the deviant interpretation of the conduct he is about to engage in and thereby allowing it. As Matza (1964, p.61) says:

The criminal law, more than any comparable system of norms, acknowledges and states the principled grounds under which an actor may claim exemption. The law contains the seeds of its own neutralization.²⁰

The law (Theft Act, 1968, s.22, p. 10) on receiving or more specifically, "handling", as the offence is now known, is no exception to this for it states:

A person handles stolen goods if knowing or believing them to be stolen goods he dishonestly undertakes or assists in their retention, removal, disposal or realization by or for the benefit of another person, or if he arranges to do so.

As Derek insightfully commented, it is this provision of "knowing or believing", which allows for successful release of the actor to the prohibited behaviour:

Most people actually have this belief within them that unless someone actually says, "This has been nicked. Do you want it?" then they can choose to remain ignorant of the fact that its been stolen, regardless of how stupendous the price or whatever, and therefore that protects them legally. I mean I know it doesn't but people feel this, and I think this is the reason for it, this question of protection. I think that the people that are offered goods that they openly suspect to be stolen turn it down flat for that reason.
(Derek)

This was fully borne out in the statements of others:

If somebody come to you and said, "Look, I've a coffee pot for you to buy. I only want two quid for it, but I bought it down Marks and Spencer's last week for twenty three pound," you know in your own bloody mind that that's not a straight coffee pot, but you want to believe it was straight because you're after a bargain.
(Mary)

It is in part for this reason that a basic assumption is that no questions are asked:

If you can get something cheap you'll rather get it cheap and not know where it comes from, and take the chance.
(Ray)

If something's going cheap I buy it. I don't ask any questions I don't want to know.
(Jerry)

The most explicit statement of how this works was made by Lucy:

If somebody came along and said to me, "This is stolen goods. Do you want it?" I wouldn't want it know. No thanks. I wouldn't take it. But if they said, "It's off the back of a lorry", I wouldn't mind. I don't think I'd like to know if they were stolen. I'd like to kid myself it was alright. I wouldn't like to know it was pinched. I wouldn't like it right out. It might enter the back of my mind but provided they didn't tell me straight to my face I would try and avoid the issue there. I'd say, "I'd like it very much".
(Lucy)

A potentially embarrassing piece of information which threatens

to disturb this state of "unknowing" is the price of the goods. Indeed, this is the very information which indicates that the goods are stolen and is used by prosecutors to demonstrate that the receiver knew, at the time he purchased the goods, that they were stolen (See Klockars, 1974, p.89). Fortunately for the members, at least five verbalizations exist which account for this cheapness in legitimate terms. Essentially, these are extensions of the conventionally held beliefs which explain the sale of bargains:

(1) "Fell off the back of a lorry" is perhaps the classic of verbalizations used in the purchase of stolen goods to attempt to ignore or reduce the buyer's awareness of the goods' stolen nature and explain away their cheapness:

A friend of her husband's asked him if he wanted to buy a portable T.V. for fifty bob. She said bring home half a dozen if they're only fifty bob. When I asked her how he got them for that price she said she didn't ask questions, but they'd probably fallen off the back of a lorry.
(Lucy)

"Fallen off the back of a lorry" has however, become synonymous with stolen goods. Consequently, where more positive attempts at moral bridging are made, the verbalizations used are more credible.

(2) Poor Quality - This has numerous manifestations and I found six different types of this verbalization, in which the items for sale were:

(i) "seconds", or "rejects",

Some of them weren't much good. Like those knives. They were rejects. I think a lot of this stuff is inferior quality.
(Lucy)

(ii) "fire damaged":

You can go into some warehouses and buy up and take away stocks of things like dresses and coats cheaply and all above board because maybe they've been pulled out of a fire. Some of them might have little singe marks on them, but you buy them in job lots and take your chance.
(Hobbs, 1973, p.52)

(iii) poor design,

What could a T.V. for fifty bob be like? I should think they're battery driven and the batteries cost more than the T.V.
(Lucy)

(iv) perishables,

A man pulled-up in this meat lorry and said he had a load of meat for sale. He said his fridge had broken down and rather than lose the lot would sell it cheap. I had my doubts about its origin, but it was cheap so I didn't question it.
(Court Hearing of Butcher indicted on handling charge)

(v) damaged,

Well it's like you get tins of peaches in a supermarket at half price because they're dented.
(Court hearing of publican indicted on a handling charge)

(vi) "off-cuts",

Do you remember the Hassan's carpet case where people were working in a store selling carpet in pieces. Actually the story was put over that it was off-cuts. You know "off-cuts" that ran into a hundred square yards.
(Mr. Morgan, Probation Officer)

(3) Legitimate "Perks" - These are non-monetary entitlements which are allowed by employers, but which are claimed to cover more than they do, or are claimed when they are not in fact allowed at all:

But people who work in these places can get this stuff legitimately as a right of working there. It's like vegetables in the market. If you work in a market you get all your vegetables free. But that's perks. It's part of the wages, like tips.
(Lucy)

When you go to work...you take what they have there. Now that is part of the perks of the bloody job. You take that just to make your little bit of wages up. It's perks.
(Mary)

(4) Bulk Purchase - Buying goods in bulk is recognized as being a way of buying cheaper because it entitles you to a discount. A convenient explanation for cheap gear then is bulk purchase:

It's not all knocked-off, this cheap stuff you know. If you buy large amounts you can get it that much cheaper. So it needn't be stolen they might've got it that way. I'm not to know.
(Lucy)

(5) Warehouse or Discount Store - Buying through these channels is known to be cheaper because it cuts the middleman:

I suppose they come from a warehouse like the one down the road. You can go in there and buy stuff, all above board. Well it's got to be cheaper because there's no middleman.

(Lucy)

The existence of these verbalizations, however need not mean that they are always used purposely by the lay receiver or buyer, but, alternatively, that they may be relied on by the dealer as being held by the buyer. It is towards this possibility that I now turn.

(E) Language as a Processural Phenomenon : Accounts Rendering Deviant Behaviour Available

Arguably, the most profound development in moral bridging theory, was that of Matza's concept of neutralization. Unfortunately much of the import of Matza's argument has been lost as a result of commentators (with the exception of Taylor, 1972) misinterpreting Matza's theory as no more than a restatement and elaboration of Cressey's (1953) verbalization.

In the 1957 statement with Sykes, Matza (Matza and Sykes, 1957, p.666) lays the foundation for his theory of neutralization:

It is our argument that much delinquency is based on what is essentially an unrecognized extension of defences to crimes, in the form of justifications for deviance that are seen as valid by the delinquent, but not by the legal system or society at large.

(My emphasis)

He argues that these justifications are inherent in the flexible normative system of society, where social rules are not categorical imperatives, but qualified guides for action, limited in their applicability by time, place, persons and social circumstances, and whose limits are made explicit as

conditions under which the rules are not binding (For example the condition of not knowing the goods are stolen, as above pp. 156-57). Matza and Sykes (ibid.) call these justifications, "Techniques of Neutralization" which they say, as well as being defences following delinquent behaviour, may precede this behaviour, neutralizing it in advance and thereby making it possible. Unfortunately, the use of the term, "techniques" is confusing, because it lends itself to the exclusive inference that an exploitive utilization of certain linguistic phrases, is undertaken for the purpose of engaging in the deviant behaviour, as in the case illustrated above. But it is my contention that purpose forms no part of Matza's neutralization process. As Taylor (1972, p.27) correctly observes:

This is not to say that the delinquent deliberately bent such values and norms, although Matza later admits this may sometimes be the case, but rather that he incorrectly understood the conditions of their applicability.

Indeed, in a later statement of the theory, Matza (1964) drops all use of the term "techniques" and instead develops the notion of neutralization and "drift". Most of the time delinquents behave within the confines of the law which is morally binding on them. However, episodically, they are released from this moral bind by the process of neutralization which renders them free, but not compelled to commit delinquent acts. He calls this released state, "drift". Drift is a kind of moral holiday, "in which" says Matza (ibid., p.28) "the delinquent is neither committed to delinquent action nor to the conventional enterprise".

Where Matza differs from other theorists (particularly, Cressey, 1953; Hartung, 1966; Becker, 1971) is in asserting that neutralization is not an intentional or purposive act, but rather something that occurs to the delinquent, as a result of the unwitting duplication,

distortion and extension in customary beliefs under which misdeeds may be penally sanctioned. Commentators underestimate the importance of this contribution. Thus Hirschi (1970, p.25) asks, "Why neutralize?" He says that it is Matza's argument that the deviant rationalizes his behaviour so that he can at once violate a rule and maintain a belief in it, and further, that for Matza, strain prompts the effort at neutralization. He concludes (ibid.), that unlike Matza, "we do not assume that a person constructs a system of rationalizations in order to justify commission of acts he wants to commit". Similarly Box (1971, p.123) argues that it is Matza's case that "drift follows from adolescents breaking the moral bind of the law by learning and utilizing techniques of neutralization". Like Hirschi, Box (ibid., p.132) criticizes Matza for "offering no plausible reason why adolescents should want to neutralize in the first place".

But it is no part of Matza's theory that neutralization is an intentional act, done in order to commit the delinquent act. Rather Matza repeatedly emphasizes the absence of intention by the delinquent in this process:

Drift is a gradual process of movement, unperceived by the actor, in which the first stage (neutralization) may be accidental or unpredictable...
(1964, p.29)

Neutralization suggests that the modern legal systems recognize the conditions under which misdeeds may not be penally sanctioned and these conditions may be unwittingly duplicated, distorted and extended in customary beliefs.
(ibid., p. 61)

Neutralization of legal precepts depends partly on equivocation - the unwitting use of concepts in markedly different ways.
(ibid., p.74)

In short, whereas with Cressey language constructs are purposely exploited after the deviant act has been contemplated, and in order that the act may be justifiably or guiltlessly committed,

with Matza it is only after the unwitting use of language constructs has neutralized an actor's bind to law that the act is contemplated, and even then its deviancy is incidental to its purpose.

In my own work, it was apparent that any or all of the elements of the philosophy reported under self-defence mechanisms (pp. 142-152) could function to neutralize an actor's moral bind. However, to state that they did operate in this way would be no more than speculative; all were offered after the event and more readily lend themselves to the interpretation of self-defence mechanisms. However, in one case a very good example was offered which illustrates how the connection may be made from the instilling/confirmation of a belief, namely, "higher ups do it, so why shouldn't we", to the actual behaviour being commenced and institutionalized:

He's never taken anything in his life. You know how honest he's been. He's never brought anything home from work. I've always bought all my own bacon. Well, he discovered his boss one day. He kept saying, "Got my bacon Len? Alright if I take that? " Len said, "You taking home bacon. But you don't need to take it. You've got a lovely house, a car, good wages and all the percentages on tips". Well after that he starts taking his own bacon. He starts bringing loads of it. I think its become a disease now. Everytime I come home there's a stack of it in the fridge. You've heard of collating, well I file my bacon now in date order. I've got so much of it. I've got that way I don't buy it now. I just ask if he's got any more in.

(Lucy)

However, in most cases for this form of moral bridging to occur, it is necessary that the amateur dealer effectively frames his sales in such a manner that the lay receiver first has his moral bind neutralized by conceiving of the goods as of one or other types of legitimate cheap goods. Thus he must provide a gloss on the sale which allows the lay receiver to "fill-in" meaning and so unwittingly rendering himself morally free to decide whether or not to purchase the cheap goods. In their study of fencing, Roselius

and Benton (1973) describe this process as creating primary demand. They say (ibid. p. 182):

Demand is considered to be either "primary" (desire for coffee) or "Selective" (desire to buy a specific brand of coffee). Typically, both kinds of demand must be present before a sale occurs. Thus, a fence selling stolen goods to a person reluctant to buy stolen goods knowingly must first overcome the hesitancy to purchase any stolen goods (create primary demand) and then convince the purchaser to buy the specific items offered for sale.

Later, (ibid. p. 191) they argue that when the consumer does not know the goods are stolen, an elaborate effort must be made to legitimize the transaction by disguising the fact that the property is stolen.

In my research, neutralization of the lay receiver's moral bind was achieved by the amateur dealer legitimizing the illegal interpretations of the sale, by presenting a gloss relying on the holding of one of the five assumptions which as we saw above (pp. 158-160)

legitimately explain cheap goods:

He was knocking out cases of it. He'd go round touting it at Lloyds and these blokes would say, "Oh it's cheap is it, I'll have some of that". And everyone was slapping him on the back saying what a great bloke he was because he could get cheap stuff. He used to give them a yarn about his brother getting it cheap from the cash and carry.
(Steve)

I never tell the people it's stolen. I just say I got it from somewhere. They don't even ask really. I shouldn't think they even suspect half the time. They might know there's a fiddle somewhere along the line, but they don't know where. See I sell it to them at slightly dearer than what they could get it if it was knocked off. This sort of price leaves it that the stuff needn't be stolen. They might be damaged goods or soiled or anything like that.
(Michael)

The irony of this form of presentation, however, is that the person most wary of buying stolen goods is most vulnerable to the hustle. The ambiguous presentation of goods, in so far as it relies on the buyer to provide his own explanation of their cheap nature, can work to the buyer's

disadvantage. A hustler selling second quality goods and who knows the assumptions used in the neutralizing presentation, can present his goods under the same gloss enabling them to be passed off at a price greater than their actual value (See Chapter 3, p. 109).

In conclusion then we may say that language has three distinct modes in the moral context of the amateur trade:

1) as a self-defence mechanism or rationalization used after an act in order to protect the self against culpability for that act, either from the self as in normalization or from others as in rationalization.

2) as a verbalization technique used prior to commission of a deviant act but after its contemplation in order to allow the self to comfortably commit the act.

3) as a process of neutralization occurring to the actor prior to both his contemplation of and his decision to act.

While the first of these may simply be a defence, the second illustrates how the actor can engage in intentional moral bridging, while the third shows how this bridging may be unintentional. As Ditton (private communication) has pointed out "timing" of the account is therefore crucial in any consideration of the motivational power of language.

As we have seen, judgements about a person's guilt or innocence in "handling" cases are made on a basis of what is said in the Court context. However, we have shown that in such contexts, the accused is likely to respond more to those accounts he thinks will best extricate him from the immediate judgemental situation, such as self-defence mechanisms or rationalizations. Because of this it is

doubtful how far judgements in cases of handling establish whether or not mental intent (and therefore guilt) was present at the time of committing the act. It may be that many of the persons on "handling" charges are convicted not because they acted with intent to commit criminal offences, as could be argued the case if verbalizations were used, but because they were placed in "drift" by the unwitting process of neutralization as a result of holding assumptions which are a necessary part of their hardware as legitimate functional consumers in a materialistic/capitalistic society. For example, "socialized" to believe they should always buy the cheapest possible goods, "consumers" seek out bargains and special offers. They "know" that they can get such bargains if they buy in bulk, direct from the wholesaler/manufacturer, or buy damaged or faulty etc. They also "know" that the best bargains (though sometimes the best cons) are obtainable when the context is abnormal such as, bargain stores, sales weeks, or advertizing assuring "more for less if you" (These considerations will be discussed in detail in Chapter 6). When goods appear, ambiguously presented, it is not surprising that they draw on their stock of purchasing knowledge and fill in the ambiguous gloss in a way which unwittingly ~~mask~~ the possible illegality of the purchase; the goods become automatically "bargains".

Chapter 5

SELECTION AND CONFIRMATION OF MEMBERSHIP :
THE RELATIONAL FOUNDATION OF THE AMATEUR
TRADE IN STOLEN GOODS

SELECTION AND CONFIRMATION OF MEMBERSHIP : THE RELATIONAL
FOUNDATION OF THE AMATEUR TRADE IN STOLEN GOODS

It's not important in money terms. I believe the money's not the thing. They might say it is in order to justify the risk in terms that everyone can understand, but that's not it. When it comes down to it nobody really makes any money. The rewards are more social than monetary.
(Steve)

As we have already seen in chapter 2, the dominant presentation of trade in stolen goods is that of a money-motivated, economically organized enterprise functioning for the material interest of individual practitioners. According to Chappell and Walsh (1974a, p. 487) it is because of this form of organization that the subject of stolen goods has been under-researched: "The criminal who displays a fairly rational economic behaviour pattern has often been excluded as a research subject. The criminal receiver is an excellent example." A similar argument has been offered by Roselius and Benton (1973, p. 180) who maintain that, "in order to study the marketing side, one must assume that the distribution of stolen property is rather businesslike...and that many patterns of behaviour in distribution are economically motivated".

However, as my analysis of Klockars' (1974) work (above, pp.93-99) suggested, there is a social rather than economic interpretation to be made, even of the professional side of the enterprise, and the hypothesis that this would be even more evident in the amateur trade has been found to be the case. The quote heading this chapter aptly summarizes the dramatic contrast in my findings, compared with those expressed in the traditionally held economic view. In the following pages I will endeavour to show how, although framed in terms of economic exchange, the non-professional activity is a social undertaking which

effectively operates as a medium for the formation and maintenance of intimate social relationships. Moreover, it will be revealed that if it is to run its full course, the interactional process whereby those relationships are established, must involve strict obedience to certain taken-for-granted assumptions or social rules. Finally, I will demonstrate that the very nature of the social organization constituting the phenomenon, precludes the possibility of much money being made.

In my research into the trade I found that most deals were based on relationships constructed between two persons, a seller and a buyer, who encounter each other in a one-to-one relationship. The seller may be a supplier selling to an amateur dealer, in which case the dealer would be in the buying role, or the seller may be the amateur dealer, himself selling to a lay receiver.²¹ It is possible to distinguish theoretically between amateur dealing and lay receiving and to treat each of these separately. It will be remembered that in chapter 3 (p. 107), I defined lay receiving as the purchase of cheap goods for one's own consumption in contexts which render ambiguous their legitimate origin, whereas I defined (p.108) amateur dealing as the regular part-time ^{usually, but not necessarily stolen} ~~purchase~~ ^{illicit} of genuine quality merchandise for the purpose of selling cheaply for the benefit of those involved. Whilst such a move would make for convenience in handling the material, it would severely misrepresent the actual practical operation of the phenomenon in which the two activities are inextricably bound. As I have already argued (chapter 3, pp. 125-128), those involved in the trade are not invariably tied to

particular roles or statuses, but engage in the whole gamut of activities, sometimes dealing, sometimes receiving, while on other occasions pilfering, fiddling, and even hustling.

My primary concern here is to look at two situations: the first situation is where one party to the interaction is familiar with the amateur trade and can be described as a "member" and the other party unfamiliar to the interaction scene and can be described as "newcomer"; the second situation is where both parties to the interaction are experienced in the trade and are both seen as "members". The category "member" comprises both provisionally accepted and confirmed trading acquaintances, who may be friends for "other reasons" or as a result of the trading association, and relations.

In analysing the interaction comprising the trade I have found it empirically appropriate to organize the presentation of material in terms of four processes of relationship construction: (A) acquaintance formation, in which members establish the identity of a newcomer with respect to his suitability as a trading acquaintance, and thereby to acceptability^{to} provisional membership; (B) membership confirmation in which members ascertain whether fellow members and those provisionally accepted as members are willing to engage in trade; (C) dealing in which members discuss the details of the transaction and make the exchange of goods; and (D) celebration of the deal in which the newly confirmed strengths of relationship are publically announced and celebrated.

In a more general treatment of the amateur trade, Ditton (1974, p. 25) applies Glaser and Strauss's (1972)

concept of "awareness contexts" to his analysis of the dealer as it occurs among the bread salesmen he studied. I propose to adopt a modified form of the same analytical framework which I believe provides an extremely valuable vehical for interpreting the process of interaction. Glaser and Strauss' contribution is appropriate to the process of acquaintance formation as it (ibid., p. 10) is in terms of, "... two interactants who face the dual problem of being certain about both their identity in the other's eyes and the other's identity."²² They (ibid.) define the awareness context as, "... the total combination of what each interactant in a situation knows about the identity of the other and his own identity in the eyes of the other" and say that, "the successive interactions occurring within each type of context tend to transform that context". A problem with this formulation vis-a-vis the empirical situation is that interactants do not merely "know about" another's identity, but they make a value judgement about it. At a very basic level, another's identity is either favourable or unfavourable. Thus for my purposes it is useful to modify Glaser and Strauss' formulation to comprise of six levels of awareness context: a closed awareness context, where one interactant does not know either the other's identity or the other's view of his identity; a favourable suspicion awareness context, where one interactant suspects the true identity of the other as being similar to his own in certain important respects, and similarly suspects the other's view of his identity; an unfavourable suspicion awareness context, where one interactant suspects

the true identity of the other as being different from his own in certain important respects, and similarly suspects the other's view of his identity; a favourable open awareness context, where one interactant is aware of the other's true identity and approves of it, and is similarly aware of the other's view of his identity; an unfavourable open awareness context, where one interactant is aware of the other's true identity and disapproves of it, and is similarly aware of the other's view of his identity; and a pretence awareness context in which both interactants are fully aware but one or other pretends not to be. With this framework in mind, we can now turn our attention to the first process of relationship construction.

(A) Acquaintance Formation

In this process, members attempt to establish the identity of a newcomer with respect to ascertaining his suitability as a trading acquaintance. The process has three identifiable stages: (i) an assessment of the newcomer's formal role play, that is, how he performs in standard type role situations; (ii) a purposive ceremonial, informal, "chat" to assess the newcomer's suitability as a trading acquaintance; and (iii) the provisional typing of a newcomer as acceptable or not as a trading acquaintance and thereby as a provisional member. In terms of our modified form of Glaser and Strauss' (ibid.) framework we can view this process of the interaction as an attempt at a movement from a, "closed awareness context.... when one interactant does not know either the other's identity or the other's view of his identity" to a favourable or

unfavourable "suspicion awareness context...when one interactant suspects the true identity of the other or the other's view of his identity or both".

(i) Assessing Formal Role Play

In this process, a basic assumption (if a favourable identity judgement is to be the outcome) is that any initial contact between newcomer and member, must occur in a legitimate context. By this I mean a context in which the newcomer is seen by the member to be adopting a conventional role in an acceptable manner. For example, the newcomer might have a job in a factory, shop or office:

I came into contact with it through hairdressing, through the place where I worked in Hertfordshire. You just got friendly with people coming in, you know like yourself, and one thing led to another and they start saying, "Can I do something for you? ".

(Michael)

Alternatively he may be seen as discharging standard role duties such as parental responsibility:

Another character is a friend of his that they met through their kids at school. His wife used to go and pick up the kids and she got friendly with this other bloke's wife and eventually she started offering Freddie's wife cheap stuff.

(Steve)

He may even just live in particular area, and as a result, regularly use various services and amenities:

I got involved just by being there really. It wasn't difficult. See you go over the pub... I mean we was in the house doing the place up, 'cause it was derelict when we moved in and we used to work on it all through the summer, and at lunch-time go over the pub for a jar... and you sit there and listen to the blokes talking and have a chat with them, because they're really sociable. If you'll sit and listen, they'll talk all night and buy you drinks and you're "in" very quickly in that sense... If I was to go over there ... I mean if I was to go over there, to the "Finger" now and go up to the publican and say, "Is George in tonight? " and look around and say, "Has he been in? " or "Is he going to be around?" everyone knows that you're after something. But if you went over there nothing would happen. To start off with I think you've got to live locally.

(Derek)

If the legitimate-context-assumption is contravened,

nothing spectacular will happen. More importantly nothing outside the formal role association will occur, either. Instead acquaintance formation will be delayed or indefinitely suspended until the member has established to his satisfaction the 'real' purpose for the newcomer's presence in the action scene. In short, it will remain at the level of closed awareness context:

After a time, you know bush telegraph and all that, they know a fair bit about you. They know from the postman where you get your letters from, and how much milk you have and who comes to see you. They know the lot. And if there's any sort of doubts about you as a person or they don't like you, then nothing you can say or do will induce them to do anything. (Derek)

In the few studies (Ditton, 1974; Mars, 1974) which touch on the amateur trade, this point, namely the necessity for interaction to occur in a legitimate context, is never made explicit. Possibly this is because such studies are often conducted into particular occupations and as a result, the context of the formal work role tends to be taken for granted by the researcher.

(ii) Ceremonial "Chat"

Having satisfied himself as to why the newcomer is present, the second stage of the acquaintance formation process commences. As an aside from the meetings occurring through formal role obligations, various starts at intentionally structured informal talk are begun by one or more of the members. During apparently meaningless chat the newcomer is observed, information is prized out and probes are made. The purpose or intentionality behind this talk is for the members to assimilate a basis upon which to make provisional judgements and decisions about the newcomer's identity or social type.

(iii) Provisional Typing

Whether or not a newcomer is provisionally accepted depends upon the identity he is allocated as a result of members' judgements of him. Thus we have an attempt to move from a closed awareness context to a suspicion awareness context, which culminates in a provisional judgement about identity. In practice I found that shades of assessment are subordinated under two general classifications: "alright" or "dodgy". "Alright" means that the newcomer, though still under suspicion, can be treated as though his attitudes were the same as those of the members for the purpose of any future interaction. As Hobbs (1973, p.3) has said, being alright means, "sharing the same attitudes to life" as the residents. Being typed as "dodgy" however, means that the newcomer has different attitudes to life from the members and this has far more serious consequences for the ongoing interaction.

The central point about provisional typing of newcomers in my study, was that if the "dodgy" label was conferred or in other words the interaction arrived at an unfavourable suspicion awareness context, then the newcomer would not be offered cheap goods:

If you can go into the pub and you walk in and you go up to the bar and say, "Evening Mick" and he says, "Good evening Derek", you're "in". I mean once he knows your name... You start off and you go in there and you say, "Good evening" and you've been there a month or two and you say, "Good evening Mick" and he says, "Good evening Mr. Allcorn", this type of thing. Then, after about six month's it's, "Good evening Mick", "Good evening Derek" and that's it. It takes a long time. Although they're friendly people, they'll talk to you and you can play dominos and this sort of thing, bring you in on their darts game and so on. It takes a long time before they'll really accept you. Not until you've been accepted will they ever offer you anything.

Now if you're a stranger or a newcomer, or your face doesn't fit, you'll go in and ask the question and get no response. You know, they'll continue playing cards. Whoever you're talking to will say, "Well no I can't think of anybody". But

once you're accepted and you go in there and you're talking to someone and you say, "Do you know where I can get so and so?" and he'll say "I don't" but he'll shout across the bar and say, "Pete, John", whatever his name is, "is you're brother still getting those so and so's cheap", and the word will go around both bars, and even if nobody knows, within a couple of days somebody will have been found.
(Derek)

That the information for basing the provisional typing or identity judgement emerges from talk arising as an aside to formal role relations, is made explicit by the following dealers who also note the consequences of unfavourable typing:

You wouldn't offer it to somebody who was a bit dodgy. Well you can tell. It's like you can tell what a bloke's politics is. You can tell by what people say during the course of a day. "I got no time for thieves" and things like that. Well right, you don't trust 'em do you.
(Dave)

I found out a few months ago that he was selling stuff cheap. My mate told me about it. I think he told my mate and he put it about to people who he thinks are alright. You know people like me who look criminal (laugh). No, you know how you can talk to blokes in work and you sort of know whether they're honest and things like that. You know I get people come up to me, people that I know, and say "Do you want to buy this or that?" If they know me they come up to me. This is people who know me well, because you don't just go up to anybody in the street and say "Do you want to buy..." 'cause it could be anyone.
(Ray)

One of the most vivid descriptions of how a person is assessed on the basis of his work-role behaviour, typed as dodgy and then subsequently excluded from the amateur trade was given by the following member:

There was one character who they wouldn't even dream of approaching. He was a very upright little man, a foreman, not earning particularly good money. He was a sheetmetal worker. They'd known him for about four or five years and he was useful because he rushed work through for them. But it was straight. Nothing bent about it. He was so honest he wouldn't dream of doing anything dishonest. I met him after being told that he was the most honest man and the dodgiest character you'd ever wanna meet. He was a bloke that they went out of their way to avoid most of the time because he often said he would have liked to have been a copper. If anything dodgy was going on they would not let that bloke in on it. They said that through various sorts of probings, that the character was deadly honest and that you don't trust someone who is honest. see there are various sorts of attitudes and beliefs and the character that doesn't share these stands out like a sore thumb,

though he's never actually tested. So somewhere his ideas just don't fit. They'd already made the decision that his attitudes were different from theirs. He was morally an upright citizen and therefore someone not to be trusted. He was strict in many ways, sticking to the book, loyal to the firm, and the rules. I suppose they thought that this betrayed him and was enough to make them think his other ideas would be different as well.
(Steve)

Once an unfavourable suspicion awareness context emerges from the acquaintance formation process, then the onus falls on the newcomer to perform a particularly demonstrative act of allegiance in order to reverse the "dodgy" typing. In his study of "Dock Pilferage" , Mars (1974, p.223) provides a very good example of this:

When talking of the induction of new gang members one informant recounted the case of a Salvationist who moved into his gang before the war. Because he refused to take cargo, men were suspicious and reluctant to confirm him to membership. At the same time police inquiries started into the theft of a valuable cargo of wrist-watches and they 'grilled' the new member over a period of three months. 'All that time he didn't give anything away', said my informant. 'He was really firm in the gang after that'.

In my own research one member recounted how, though she only wanted to buy goods for herself, she had to offer to sell goods in order to be let into the "circle", because of originally being typed as "honest" and therefore dodgy:

I only did it to get my own things. He didn't ask me to sell it. Not at first. I asked him. That was the only way I could get in on it really. See I went in Mrs. Andrews one day and saw all these things. I said, "Ooh that's nice". She said, "Yes Harry got them for me". But I wasn't originally accepted into the circle. I was a nobody to him. I couldn't ask outright for them. The only way I could have them was to offer to get rid of them for him. I thought by doing him a favour he was doing me a favour.
(Lucy)

On some occasions, however, even measures such as these are insufficient to correct unfavourable typing. As one of Ditton's (1974, p.30) salesmen states:

...but that other bloke came over, that one with the limp and he said: "Do you want extra bread at 50p a tray?" I just said, "No, I don't have anything to do with that sort of thing". I didn't trust him. It didn't seem right, somehow.
(My emphasis)

The salesman in this example is actually engaged in the amateur trade, but because of his distrust of the person offering cheap bread, he pretends not to be. In Glaser and Strauss's terms, a pretence awareness context prevails.

Unfortunately, though Ditton (1974c, pp.25-29) gives extensive discussion to persons typed as dodgy or as he describes them, "straights"²³, his only reflection on them in this context (1974, p.30) is in terms of them discovering the deal. This assumes that persons are "straights" and overlooks the important process just described of how they become typed as such, how this typing affects the ongoing interaction, and how it may be possible for someone so typed to extricate himself from the isolation of unfavourable typification and so restore the relational formation process.

It is important to realize the significance of the acquaintance formation process in the interaction comprising the amateur trade. In Glaser and Strauss's terms, no attempt will be made to move the relationship to a higher level of meaning, i.e., favourable open awareness context or membership, until the suspicion awareness context has run its full course and the resident members have reached a provisional decision about type. It is worth stressing that this process necessarily occurs prior to the offer of cheap goods. The following account illustrates how the acquaintance stage builds up from the formal role contacts occurring in legitimate contexts, and in this case, results in a favourable suspicion awareness context being reached:

It doesn't happen over just one casual meeting. It happens over say three or four times. You know something kind of sparks something off and you strike up a relationship and then they come out with it. But it's a slow progression. It's not something that happens instantly. It only happens over three or four meetings. They get to know you. He won't just

kind of offer it to you there and then. It happens that you see him in the road and say, "hello", or he'll be at a set of traffic lights and the next time he comes in you say, "Oh I saw you last week at a set of traffic lights", and there we are... we're getting a relationship between two people. Then you offer him a cigarette, for instance, and he'll say, "Well I can get you some cigarettes cheap". See so you strike up a relationship. A cigarette is just an "out", it could be anything. You know you could be talking about cars and you say, "Ah I just dinged me car up", and he'll say, "Well what kind of car is it?" And he says, "Well I could do a couple of wings for it". and this is the way you carry on. But you've got to have a relationship. If you don't have a relationship everything doesn't twig.
(Michael)

Even in cases where it appears that no prior relationship formation has occurred, closer analysis reveals that it probably does. For example, even in the supposedly 'pure business' of professional fencing, Klockars' (1974, pp.50-51) fence Vincent says:

I should tell you for the book that you have to "open a guy up" so he'll do business with you. Like you can't just go up to somebody who is managing a warehouse and tell him you want him to send you hot merchandise. I started out with this Pep Boys guy buying dented stock, dead merchandise, overloads, anything I could 'steal'. Once he got to know me he started sending me current stock at real good prices. Then after we was doing business good for a couple of months he knew I'd take whatever he could get with no questions.

Similarly in Ditton's work (1974, p.29), one of his bread salesmen points out the importance of prior formation of relationships:

Well first you've got to know the person... and keep your ears open to what people say. Once you know he's on the bent side, then you can approach him...you're going in there daily and you begin to talk to him and then you say: "Would anything interest you?" You've got to come out with it sooner or later.

There are occasions where a newcomer may open with the mention of "cheap goods" and apparently avoid the long process of acquaintance formation. However, closer examination reveals that these occasions are rare and occur only where type assessment can be made quickly on the basis of talk, dress, demeanor, etc. More commonly, prior acquaintance formation can be circumvented where there has been an

introduction by a friend. As Ditton (1974, p.26) notes, "It occasionally happens that a salesman who is "in", will recommend a friend of his not at that time involved. Alternately, a 'wise' salesman may understand what is going on, and pester friends who are currently benefiting, to be allowed "in"." Hobbs (1973, p.3) describes how such introductions are made:

You would never introduce anyone as Joe Bloggs or Sheila somebody-or-other. You would say, "Meet my friend Joe" or "Meet my mate Sheila". Then you would say, "She is O.K.", or "He is cushty", meaning, "They are with us" sort of attitude.

I found similar examples of such introductions in my own work:

Like this guy who can get things cheaper and quicker. I'd just kind of put you in touch with him. I'd just ring him up sometime and say, "Can you get such and such for a bloke who's a mate of mine?" , and he'll say yes or no. If he can't then no. If he says yes, then I'll say well I'll send this guy down to you. He says, "alright". I'll send him down, and they can meet and one thing and another, then it's up to him to sort it out. But there are some people I just wouldn't put in touch with other people.
(Michael)

Perhaps I say to him, "Can you get any more of these?" Then one of the people at work used to say, "Can you get any more of these knives?" And one would circulate to the other and they say, "Can you get any more of so and so? Can you get any more of these spoons?" You know like that. So it got like from one to dozens to hundreds.
(Lucy)

There comes a point, however, where this recommendation by a friend or snowball advertizing, gets too much, in the sense that the dealer no longer forms an acquaintance relationship with his buyers, and the only contact between buyer and seller is in terms of the economic deal. When this happens, despite the recommendation process, the amateur trade is likely to be stopped because it is "too risky". Being "too risky" is a commonly accepted reason or socially available motive used by the dealer to account for his curtailment of trading activity:

If anybody wants anything now, it's reached the stage that if they want to buy a radio, tape recorder, electric drill or suit, they don't go and buy it, they get in touch with Freddie and say can you get me this? That's all Freddie does now 'cause he did have too much stuff and he thought it was getting a bit risky, 'cause he was getting a name where he worked, you know going out in different firms, and he thought it was daft. He had to cut down on it, on the suits particularly 'cause so many strangers were coming up to him asking for suits. When he walked into a firm and you know only two people in there and some complete stranger comes over and says, "Can you get us a suit?" It's not right is it? It could be anybody couldn't it?
(Steve)

As we shall see later, however, ceasing trading because of, "too many people" making it "too risky", has more to do with what the activity means to the members and how this is devalued by economic deals with strangers, than it has with risk, and fear of being caught.

In short then, the acquaintance formation process containing the interaction resulting in a provisional typing of newcomers, is a necessary pre-requisite to the mention of "cheap goods". In Glaser and Strauss's terms, it is necessary to go through the suspicion awareness context if the interaction is to stand a chance of moving to a level of favourable open awareness context, and this will only come if the newcomer correctly responds to the next stage of the interactional process.

(B) Membership Confirmation

This is the process in which members ascertain whether fellow members and those provisionally accepted as members, are willing to engage in trade. It has three stages: (i) a ceremonial "chat" in which the approached member is prepared for what is going to occur; (ii) the offer or request for cheap goods; and (iii) the acceptance or rejection of the offer, and by it, the confirmation or suspension of membership. In cases where acquaintance

formation has resulted in a favourable suspicion awareness context, i.e. the provisional typing of a newcomer as "alright", as a member, the stages of this process can be seen as an attempt to move the relationship to a favourable open awareness context. This will be reached when each interactant is fully aware of the other's true identity and approves of that identity. In cases where membership has already been established, the process can be viewed either as an attempt to reaffirm these relations and so sustain the favourable open awareness context at the level at which it exists, or as an attempt to raise the level of the relations. In the latter, a mere trading acquaintance may become a friend, as each newly completed deal raises the level of meaning of the relationship to new heights. In short, successful trade deals may be the foundation for new friendships.

(i) Ceremonial "Chat"

The first stage of the membership confirmation process easily goes unnoticed as it immediately precedes the offer or request for cheap goods. Essentially it comprises a conversation between the two parties to the interaction, in the form of a ceremonial "chat", in which one prepares the other for the imminent offer or request. In the case of a receiver-initiated transaction, the person wishing to buy presents a general case of some material problem to the dealer. The dealer then asks for further details of the problem usually in an off-hand or casual, though interested manner. Ditton (1974, p.24) in his research on dealing among bread salesmen describes the attempt to raise the meaning level of the relationship as the "set-up" and defines it using Goffman's notion of an encounter:

The first stage in successful dealing is the "set-up" which is an: "... opening move, typically by means of a special expression of the eyes but sometimes by a statement or special tone of voice at the beginning of a statement..."²⁴

It is the characteristic manner of the dealer's response that triggers the concord of awareness and which transmits the information to the receiver, sensitizing him for what is to follow in his next breath:

He won't just kind of offer it to you there and then. It happens that you see him in the road and say "hello," or he be at a set of traffic lights and the next time he comes in you say, "Oh I saw you last week at a set of traffic lights", and there we are,.. we're getting a relationship between two people. Then you offer him a cigarette for instance and he'll say "Well I can get you some cigarettes cheap". See so you strike up a relationship A cigarette is just an "out", it could be anything. You know you could be talking about cars and you say "Ah I just dinged me car up", and he'll say, "Well what kind or car is it?" And he says, "Well I could do a couple of wings for it", and this is the way you carry on.

He just said he wanted some wings. He was going to go and buy them down at Auto-Spares and I said, "Well I can get them for you", and then I said, "I'll find out how much". (Michael)

I was over Ted's the other day, and I needed two-hundred-weight of cement. So I was swearing and cursing about the fact that everywhere was closed and ~~that~~ I'd have to go to Dover to get this cement and he says, "Oh well, I've got some here you can have". (Derek)

I was in the pub and saying, "So many coalmines round here, where I can I buy coal?" And someone says, "Oh we'll send George around".

If I was to go over there, I mean if I was to go over the "Finger" now and go up to the publican and say, "Is George in tonight?" and look around and say, "Has he been in?" or "Is he going to be around?" Everyone knows that you're after something... (Derek)

In the case of a dealer-initiated transaction, the dealer introduces the ceremonial chat by asking a question about the receiver's general need for the type of goods he has to sell, but which he has not yet mentioned:

Dealer: "Do you smoke? You don't smoke do you?"
(Point of realization by the receiver)

Receiver: "Well yes I do. I don't smoke cigarettes but I

smoke those small cigars".

Dealer: "Which do you like, Benson and Hedges or Manikin?"

Receiver: "Well I like Manikin but are you...."

Dealer: "Here stick these in your pocket..."

(Participant Observation)

Among members who have an established trading acquaintance-ship or who are very good friends or relatives, the stage of ceremonial chat is sometimes omitted and the interaction may begin at the second stage.

(ii) The Offer or Request for "Cheap" Goods

The second stage of the membership confirmation process is the offer or request for cheap goods. Ditton (1974, p. 25) correctly observes this comprises a particularly meaning-loaded question which he describes as the "alerting phrase":

Classically, between sales and bakery staffs, the alerting phrase for those in the 'know' is the demand or offer of extra bread.

Elsewhere (private communication) he has noted that this alerting phrase appears in the form of the question, "Is there any bread about?" Indeed, he argues (ibid., p. 24) that an outright offer is never made as the risks and penalties of rejection are too great. My own research confirms this to be the case. I found that the friendship formation stage was opened with what members described variously as a "test-line" or "probe-line" concerning the request for or offer of "cheap gear" or "cheap stuff":

In our works there's a standard line that they try people out with. They say, "Would you like to sell me this? Not the firm but you?" If the bloke doesn't twig he's a berk. If he doesn't see it, it's forgotten and they don't push it any further. It's there in every situation. You can probe and if the bloke's with you you're away. (Steve)

The presentation of goods as "cheap" rather than stolen is basic to the continuation of the move from

favourable suspicion awareness context to favourable open awareness context:

People don't come right out with it. They say, "I've got something a bit cheap here". They never say, "I've got a stolen bit of gear here". All people say is ... most people say, "I've got a cheap bit of stuff here. Want to have a go at it?" And then there's a conversation and one might say, "It's a bit the other way". And the other says, "Who's fuckin' worried".
(Dave)

It's just cheap gear. You don't kind of say receiving something. You say I can get cheap cigarettes or tape recorders or whatever it is. Only when you go into it further do you find out they are knocked-off. Nothing is offered to you as a stolen item.
(Michael)

They never used the word fence. Never. They don't really say anything, they just say, "I've got a bit of bent gear", or "Wanna buy a bit of cheap stuff?" They never say, "I'm looking for a fence for this stuff", perhaps because it's straight out of T.V. land.
(Steve)

Ditton's explanation that members adopt this cryptic approach to the mention of stolen goods for self protective purposes, is in large part confirmed by my own analysis. In addition, the presentation of goods as cheap rather than as stolen is protective to the members against being 'caught' by a hustler, who, in all but the most sophisticated operations, explicitly proclaims that his goods are stolen. As Emerson (1971, p. 37) says, "No one dealing in genuinely stolen goods would risk trying to sell it as stolen goods."

It is also worth remembering that the ambiguous presentation of goods, as well as allowing a protective escape route for the seller, provides moral protection for the buyer who finds it disturbing, to know whether or not the goods are stolen. On account of this, the breaking of the presentation rule is likely to result in a reversion to the former suspicion awareness context, and

in extreme cases to a cessation of the interaction:

If somebody came along and said to me, "This is stolen goods. Do you want it?" I wouldn't want to know. No thanks. I wouldn't take it. But if they said, "It's off the back of a lorry". I wouldn't mind. I don't think I'd like to know if they were stolen. I'd like to kid myself it was alright. I wouldn't like to know it was pinched. I wouldn't like it right out. It might enter the back of my mind but provided they didn't tell me straight to my face I would try and avoid the issue there... I'd say, "I'd like it very much".

(Lucy)

Ditton's (1974, p. 24) discussion of this stage as, "the construction of a non-chance transaction from an everyday casual encounter by a particularly interested member who believes that others have similar interest," if prefixed with "the attempt at", would serve as a succinct summary of the interaction so far, provided it was remembered that the "everyday casual encounter" occurs in a legitimate context between parties who have at least become acquainted over several previous meetings, and that the "similar interests" may be deeper than the superficially manifest one of consummating the economic deal.

(iii) Acceptance or Rejection of the Offer

For the provisionally accepted member, if the "test-line" offering cheap goods is rejected or the request to buy these fails to be acknowledged, then the interaction will stay at the acquaintance level of suspicion awareness context, and no membership confirmation will occur. In this case rejection of an offer or request for cheap goods may well be sufficient to confirm the unfavourable suspicion awareness context as unfavourable open awareness context. In short, rejection may result in a firm typing of the newcomer as "dodgy". I found that even where a favourable typing of a newcomer emerged from the suspicion awareness

context of the acquaintance formation process, and this had been subsequently followed by the "test", rejection of the offer had a dramatic effect on the original judgement:

There's an unspoken understanding that everyone is willing to buy stuff cheap and the bloke who won't buy it cheap becomes an outsider and dodgy for a start. The bloke who turns down cheap stuff and the bloke that never buys anything gets a reputation and there must be something odd about him. Don't mention it to him. Keep it quiet from him. There was one bloke in the firm who worked every hour of overtime he was given. He was even known to collect up empty lemonade bottles and take them back to the sweet shop at lunch time. But he never bought a thing. Now there's a bloke that doesn't fit. Economically he's after everything he can get his hands on, but when a bargain comes up he won't buy. So he's either so tight that he won't even buy a bargain or he's dodgy - he's honest, and that makes him an outsider in their terms.
(Steve)

I always think that if someone's offered a bargain, whether it's stolen or not, if they refuse it then there must be something wrong with them, they must have something odd about them. If I offered you something that was a bargain, if you was in your right mind you'd have it. I should think 99% of people would, if they were in their right mind. Anyone who doesn't must be odd. They always seem to be very moral or religious or very timid.
(Stan)

In the case of the established member it may be alright to turn down an offer once, provided you give an accepted excuse, but if the rejection is repeated, then the original typing of favourable will be questioned and will, eventually, almost certainly be reversed:

The opportunity will arise when, your offered something and at first, nobody will think any less of you if you refuse. Not normally. Provided you have a reason. It might be that you're a bit short of the ready that week and just can't afford it. They'll accept that. But if it happens again they'll begin to think, you know, alright he's a nice enough bloke, but he's not really one of us, because they wouldn't do that. If it was them they would buy it even if it meant borrowing the money, or owing the guy.
(Derek)

On most occasions, however, the provisional typing of a newcomer as "alright" is confirmed by a correct response to the "test-line" offering or asking to buy

cheap goods and it is rare to find an established member refusing an offer. In part, acknowledgement can come via movements of the eyes, and gestures and as Goffman (1961a, p. 18) says when discussing the general case of encounter, "Given these communicative arrangements, their presence tends to be acknowledged or ratified through expressive signs, and a 'we rationale' is likely to emerge, that is in the sense of the single thing that we are doing together at that time". But signs of acknowledgement alone are insufficient to sustain the interaction, for we shall see later, certain assumptions must be followed if the interaction is not to break down. Ditton (1974, p. 25) says, "The deal is 'on' when both parties combine all the possible communicative elements of interaction in the same way, thus elevating the 'conversation' to a new meaning structure" (My emphasis). He points out that in Glaser and Strauss' terms, if the deal is 'on', "the parties involved have tactically negotiated a successful awareness context change". It is worth repeating here that in Glaser and Strauss' terms this could mean both parties have reached unfavourable typifications of the other. If such was the case both would still have moved the relationship to the open awareness context but the deal would definitely not be "on". For this reason it is essential to distinguish between favourable and unfavourable typing judgements in the suspicion and open awareness contexts. In the modified form of the framework then, the deal is "on" when the parties involved have tactically negotiated a successful change to a favourable open awareness context, i.e. when the newcomer has been

accepted as a member and has then accepted a trading opportunity or when the established member has accepted a further opportunity to engage in the trade and thereby reaffirmed his membership to the activity.

(C) Dealing

Following the "test-line" and its acknowledgement, both parties move to the third process in the interaction comprising the amateur trade. This begins with a discussion of details of the exchange followed by the exchange itself. I will pay particular attention to: (i) the assumptions which must be followed to successfully complete the deal; (ii) the meaning of the members' accounts of the deal in terms of "making money" and "buying cheap goods"; and (iii) the necessary limited scale of dealing operations.

Discussing the detailed arrangements of the deal and the exchange itself are as Ditton (1974, p. 27) notes, "relatively unproblematic". They involve discussions about the nature of the goods, the requirements of the buyer, and the price to be charged by the dealer:

He just said he wanted some wings. He was going to go and buy them down at Auto-Spares and I said, "Well I can get them for you", and then I said, "I'll find out how much" 'cause I didn't know how much they were. I found that they were two wings for half price. So I rang up and said, "Two wings for half price. Do you want them or not?" "Just over half price" I said to him. And there we are. He said, "How much over?" I said, "They're nineteen pounds for one wing in the shop. You can have them for twenty pounds for the two". He wasn't bothered that they were bent. He just wanted them.
(Michael)

I need a barrow and I'm not prepared to spend the money on a new one. When I'm in the pub sometime talking to either one of the locals or the publican, I'll ask him if he knows anyone who's got a barrow to sell. Then they'll either say yes or "I'll ask around." And word will go around. And eventually, either someone will come and say, "I've got a barrow you can have", or they'll send word to the pub and they'll let you know that old whats-his-name over in so and so's got one he wants to get rid of. They'd then say I've got one you can have. You wouldn't know whether it

was stolen, but if it was a new one and the price... the price wouldn't bear any relation to the shop one anyway. If it looks virtually new and the bloke says I got it and it's too big, too small, you know whatever the excuse, "You can have it for three quid." I'll say, "Oh well thanks very much, "Give him three quid and put ten bob behind the bar for him.
(Derek)

Dealer: "Want a tennis dress? I might be able to get you a tennis dress.

Receiver: "What from Colin's wife?"

Dealer: "No!"

Receiver: "Oh, ask no questions?"

Dealer: "Yes, from my contact in contraband. He does badminton rackets as well. Loads of good stuff but "cheap".

(Pause)

Receiver: "What size?"

Dealer: "I don't know, he says he'll bring one, well one or two in, that is if he's got any and you can try them out".

(Participant Observation)

While I agree that the transactional element of this stage appears relatively straightforward when operating undisturbed, difficulties arise should the taken-for-granted assumptions upon which it is founded be contravened. As Glaser and Strauss (1972) have pointed out, even when a new context or level of meaning is reached, as when the newcomer has acknowledged the test cues, and the relationship moved onto a discussion of the deal, this can be shattered by arousing suspicions. They say (*ibid.*, p. 11), "With a change in identity of one interactant in the eyes of the other, an open context can easily become closed or pretence". The surest way to arouse suspicions about one's identity is to contravene the unmentioned rules governing the interaction comprising the deal.

(i) Assumptions

(a) No Questions Asked

We have seen how a fundamental rule of the membership confirmation stage is the manner of presentation of the deal, which must be in terms of an ambiguous offer

or request for cheap goods, and how this is broken if the stolen nature of the goods is made explicit. A related assumption is that no questions are asked by the buyer. In the eighteenth century of Jonathan Wild, a "no questions asked" assumption was made in advertizements which requested the return of stolen goods for a reward. Chappell and Walsh (1974b, p. 157) tell us that at this time, "it was a protective device used to allay any suspicions that Wild may have had a hand in the theft, that advertizements only compounded the felony, and that he could possibly be anymore than a disinterested third party performing a public service". In my study the "no questions asked" assumption was similarly found to operate protectively towards the seller, but the need to make it explicit was no longer evident:

This other guy he's got a load of them the guy with the tape recorders. He's pushing them out. But there again I don't know where he got hold of them. I didn't even ask him.

(Michael)

Like last week he says, "I've got a few cases of razor blades". How he got them is no one's business, because I don't even know how he got them. You don't ask where they come from. You just buy them if you want them.

(Stan)

Like the ambiguous-presentation-assumption, the no-questions-asked-assumption also protects the buyer from normally disturbing knowledge that he may be purchasing stolen goods. Perhaps more pertinent in the context of this discussion is that questioning the seller implies that the buyer does not trust him:

You don't ask a bloke's reasons for flogging something. You don't say, "Why are you selling it?" That's an intrusion of their privacy. They've got their reasons. It's up to them.

(Derek)

To ask this question can lead to a verbal rebuff, or can

have consequences more immediately serious for the questioner:

You can't ask the bloke whether the stuff's stolen. You can't turn round and say it. If you did he'd probably start a fight.
(John)

(b) Carefulness

A further assumption of the interaction comprising the deal is that all negotiations are conducted carefully. This is not tantamount to say the deal is conducted in secrecy, and in this respect Ditton's (1974, p. 23) definition of the phenomenon, describing it as a "clandestine" distribution of goods, is inappropriate. The evidence of my study suggests that these exchanges are not so much secret as careful:

And Jim shows up at Freddie's place. Might be a Sunday morning knock at the door. "I got some suits. Do you want them?" You'd think it would get dangerous just knocking on his door with them, and Freddie's got four kids and the oldest one's eleven and they say, "Daddy's got some suits". But there's nothing secretive about it. They don't hide behind locked doors, without going out of their way to be daft.
(Steve)

No there's no secrecy or anything like this. It's a completely open transaction. You want an item. I can get you that item. Finished. No questions asked.
(Derek)

A possible reason for this limited secretiveness may well be protection of each party from the hustler who may, in sophisticated operations, purposely create a clandestine atmosphere in order to sell his dubious wares (Chapter 3, pp. 109-10)

(c) Price

A final assumption associated with this stage of the deal is related to the pricing of goods. Whatever the price that is charged for particular goods, friends and that includes relatives, are charged at a lower rate

than trading acquaintances:

Somewhere along the line for some unknown reason people never charge their mates as much as what they would someone they didn't know.

(Stan)

Shortly we will see how this assumption, operating in conjunction with the protective assumptions described above, is crucial in determining the magnitude of money that can be made by dealers in the amateur trade and, indeed, how it reflects the meaning of the deal for the members.

While these are the major assumptions, there exist numerous minor assumptions which nevertheless must be followed if all identity questioning is to be avoided. For example, an over-eagerness on the part of the seller to make the sale; the seller asking for money before getting the merchandise; and the buyer not inspecting the merchandise before purchase, are just a few of the behaviours which will raise identity-doubts. Some particularly good examples of how the breaking of these assumptions can generate suspicion are to be found in Klockars' (1974) study. On one occasion Vincent, Klockars' fence, describes (ibid. p. 94) how a competitor for business comes in his store:

...He's wearin' a trench coat and dark glasses. He leans over the counter and outta the side of his mouth he says, "I'm interested in some T.V.'s, what can you do for me?" You know real old-time gangster bull-shit. Right away I figure he's some kind of a nut. Nobody acts like that except in the movies. Anyway I tell him I can get some... Rocco says to me, "Are they hot Vince?" So I play along with him and I look to each side like I'm checking for cops in my own store, and say, "Red Hot!" So he says, "How many can you get me? Fifty". I say, "O.K." He says, "I'll take 'em, give me a call", and walks out.

Now I know what that rat bastard's up to. He's trying to set me up. He never even asked what kind of T.V.'s they were. He didn't know if they were colour, black and white, nine-inch, twenty inch, nothin'.

Providing all the assumptions are followed the deal will

go through. However, the actual exchange of goods for money marks more than the mere completion of the deal. It comprises the meaning of the enterprise for the members.

(ii) The Meaning of the Deal: "Making Money" and "Buying Cheap"

Members of the amateur trade account for their participation in the practice of "buying cheap" in terms of the economic and material rewards involved. They either "do it for the money", or they, "do it for the things they get":

If you ask Freddie why he does it he'll talk about the money he gets out of it. He always claims he's doing alright out of it. If you say, "Why do you do it?", he'll say, "Bloody hell I get all this gear cheap don't I. Look around me. I've got all this stuff that I'd probably have to pay through the nose for, that I probably wouldn't even have". And he does buy a lot of stuff. He's had about fifteen tape recorders. He buys one and he sells one. Every time Jim comes round with a better model he'll buy it and flog his old one. He probably buys and keeps more stuff for himself than he knocks out in the long run. So many people in the family have got his old tape recorders it's not true. Take records. I mean everytime Jim shows up with a load of records Freddie has about ten for himself. He just can't resist them. I should think he's got at least twelve suits. Simply because they're cheap he feels he must have them. If you show him something that's alright he'll be there. He buys a hell of a lot of stuff. I should think he probably keeps half the stuff he gets himself.
(Steve)

I'm doing it for the money every time. I wouldn't do it otherwise. If it was only a couple of quid in my pocket I wouldn't do it. But I know for a fact that I have no lay out so all the money I earn is profit.
(Stan)

I've always kind of made a few bob on the stuff I've dealed in. Always got a free packet myself, something like this see.
(Michael)

I did it so that I could get my own things. I got so many out of everything I sold. See I had to sell the stuff so as to keep on getting it. That's all I did it for really to keep on getting my own things. Look at all those things I got. That Pyrex and the cutlery and those scales. I got them all at half price. I would never have been able to afford them otherwise.
(Lucy)

Indeed, if we examine member's talk about how the trade's deals operate, it would appear that they do make money, and there exists a "standard rate" of purchase and sale:

On the stuff he buys from Jim he pays a third and sells at a half. That's a standard rate. If Jim comes in and says there's a price tag on it for £10 he'll buy it at £3.00 or £3.50 and flog it for £5.00.
(Steve)

The buying at a third and selling at a half is the same rate that is alleged to occur in professional fencing (Chapter 2, p. 68). However, closer examination of the amateur trade reveals that this is only a theoretical rate used in discussions about deals. Even at a theoretical level there are reasons why adherence to this rate is not maintained. If the goods are of high value the 'rate' drops:

Once you get in the region of a £300 watch, which is not very often, the third drops a bit. I mean a £300 watch would be £80 not £100 and he would flog it for £120 rather than £150.
(Steve)

If there is a large quantity this also reduces the amount the dealer can get for them:

See they work in wholesale. They say if you've got that many I ought to have them a bit cheaper. Say you've got Scotch going at twelve and a tanner a bottle. They'll say, "How many you got?" "Oh no couldn't manage that, what all the lot. No. I'll give you half a quid a bottle". Whereas the bloke who goes round with half a dozen bottles. "Here are half a dozen bottles here, Scotch, they're a nicker a bottle". What does he say, "Have 'em", cause it's only a little amount. I mean dresses fuckin' three quid a go, fuckin' dollar each if you've got a lorry load of them. And he thought he'd be gettin' half a quid each for 'em.
(Dave)

The central point here is that these rates offered by members in their accounts of the activity are only used in the theory and talk about the amateur trade. When we look at its actual practical operation we find

that for a number of reasons, not only is the profitability of the enterprise very much less than the theory suggests, but in fact participants rarely make money at all.

Firstly, it is unusual for members of the amateur trade to come into actual contact with either highly valued items, or large quantities of them; though they will invariably capture the reflected glory from talking about such deals that they have missed, or that a friend is currently negotiating. However, on the occasions that they themselves actually get involved in such operations, they often find that for various reasons they are unable to sell the goods, which at the time of buying appeared to hold such monetary promise:

I suppose he might make a lot of money if something big comes along, but it's not that often. See even if he gets something big he's not really making any money not when you get right down to it, because nine times out of ten, when this happens he can't flog it. Like the rings he had. They were worth three thousand quid, but they had to go back because he couldn't find a buyer. They said with jewellery there's so many tax problems and everything else. Watches are alright because people will buy them for themselves, one at a time. But rings, not everybody's willing to shell out on a ring when you can't see the value of it. Watches are different because say it's got Omega stamped on it people will say, "Oh I know that one". But rings, "What's a good name for a ring?"

And those "Capede Monte" things, you know those little statuettes made in Italy. Freddie can never sell them. He's had one or two of them up there and he just can't get rid of them.
(Steve)

Take Sid and that Salmon. He made bugger all out of it. He used to sell a bit in his shop but most of the time he didn't go on the shelves 'cause they had to get their money back. See there was too much of it. Twelve cases of Salmon to a bloke who might sell two tins a week is a hell of a lot of Salmon. He used to push it on to his brother who worked in London at Lloyds and he'd go round there touting it and because it wasn't a shop situation he'd sell more at work than Sid would sell in his shop. He was knocking out cases of it. Again nobody made very much out of it. He was getting it at half price, so he stood to make half as much again, but very little went through his shop, cause he couldn't sell most of it. So he had to sell it at three quarters price in London so what he made was

nothing and his brother had to have a cut of that. He was giving it away to other shopkeepers in the end, just to get rid of it.

(Steve)

He just didn't know any contacts to get rid of the stuff. It was like as if when he was caught a great weight had been lifted off us. Even he'd admit that. I mean weeks before he'd said to me, "I'd never do anything like this again". I mean we were frightened to open the door. It was terrible to live through that. We were always looking behind us.

(Margaret)

I've had stuff before that I've got myself and in the end I've given it away, 'cause I can't get rid of it. What with all the humpin' about I had to do and I've had it lying there for donks. Oh I had a load of stuff, all the best gear and it got so bad she made me take it back. I was really annoyed because I thought we'd get a few bob here, because it was all good gear, and we give some away in the end.

(Ray)

It's like those fags Freddie bought. He sold them around the firms and it took him so long to do it, it took him all day in fact, that he lost money on it. He'd have made more money if he'd gone to work for the day so he stopped that.

(Steve)

Even when large quantities of valued items can be sold, members of the amateur trade do not make money in the sense of making a profit;

This mate of mine as he was at the time offers me a colour T.V. set for sixty pounds. O.K. right but I didn't know anything about how many's coming round. When this guy knocked on the door and said to me, "I've got it.", I expected to see a small Ford Transit; outside was a fifteen ton lorry and when he pulled the back up it was just crammed full of them. So I said to this chap, "What am I s'posed to do with 'em", and he said, "Can you get rid of any?" So you think to yourself, alright well I'll do this guy a favour. He's got a load of 'em and he can't move 'em. So I spent all afternoon and evening and got rid of every one. You know, somebody else knew somebody else. So this guy went round in this big lorry all night, 'cause he had to get the lorry back, and I had to go round and collect all the money in. And when it came to it everyone got everything, I even paid for my set, I think the guy gave me a stereo for nothing, but I never made anything. I charged 'em the same price sixty pounds and never made a penny, not a dime, and I'd shifted the lot. I was out in the back garden burning all the cases they came in. The thing was they didn't know anybody who could set them up, and I had to go round all their houses tuning 'em in. I just took it that the guy who had them initially would automatically see me alright. I thought I'm not too worried because good old Eric he'll see I'm O.K. Well anybody in their right mind would. If a guy.... if you

turned up in a big lorry and a guy managed to move the whole lorry-load, cash, that night.. He had thousands in his hand. See I had a bit of money with me and I backed people. If you wanted to pay by cheque, I'll say, "O.K. Stu you pay the cheque to me, and I'll pay the cash for you. But even he didn't make everything on it, because it had to go back to the goods inwards, the boys in the admin. staff. You know he reckoned he pulled, they made about a tenner each but that wasn't bad, cause he was taking all the risks. You know if he got stopped with that lorry... O.K. he had the goods received note and everything's above board, but what was he doing outside my place, you know, unloading them in the middle of the night.
(Paul)

You know we got offered some shirts. Well in fact I was shown a shirt, a very nice Ben Sherman shirt and the price was cheap and, of course, I said, "How much?" And they said, "How many do you want?" And I said, "How many can I have?" they said, "As many as you want". Well eventually we went down to see this guy: two hundred pounds. If we bought big we could have them very cheap. So we did and we sold them with a bit of a profit didn't we? But it turned out that the profit was nothing. It didn't cover the running around we had to do, and the inconvenience. You know you bought four, then brought three back and said, "Can I change this for another size?" and all this. And then the guy says, "Do you want any more?" And I says, "Yes please, I'll come down and pick some more up, cash". And you get down there and you've travelled all the way, sixty mile, with the cash, with the van, and he says, "Sorry they won't be in till tomorrow". Alright so you've got to drive all the way back again, and there's your petrol. In the end that was costing me money.
(Paul)

Secondly, and more importantly, in normal amateur trading, rather than these occasional excursions into large scale operating, it appears that the dealer rarely makes money in the economic sense.

He'll show up at our place to make nothing, with stuff that's worth pounds, and you'd think he was a salesman he gives you such a pitch to buy it. But he doesn't make nothin' on it, so why does he do it? There's something else there, more than the money.

(Steve)

Nobody makes any money at it. Not real money. Well alright the person who's buying it is saving money if you like, but it's not much, and he's not actually making anything. And the bloke who's selling it doesn't get much either. He gets favours in return as much as anything else.
(Derek)

No look, people will buy cigarettes if there's only two pence off if they're dodgy. The few cigarettes I got I made nothing on them. They were paying five bob for a packet of six bob fags. What's the point? And I was buying them at four and a tanner. That's the sort of profit I was working on, six pence a packet, and that's old money. Forget about people making money out of it. I mean various people that you meet, in any factory, come up with the stuff. Nobody knows where it comes from. It's been passed down a line of about twenty people. And people just don't make much money on it. They make coppers most of the time.

(Steve)

There's a lot of people who do it for a little bit of excitement, but they don't do it to make piles of money... I don't do it to make money. It's a chance isn't it. It's a bit of excitement. You know somebody comes along and says, "Oo can you do so and so", and you say, "Yeh, sure, O.K."

(Paul)

At least three amateur dealers admitted that they never actually charged more for the goods than they had been charged themselves:

I was selling it for exactly the same price I was getting it. I wasn't making anything on it. I was doing it as a favour for everyone around the works. I sold it for twenty five bob a gallon though it was valued at four fifty.

(Roy)

I paid half price for everything I got, more or less. Oh I sold it for the same price. See I was only doing it to get my own things really.

(Lucy)

I don't as I said before, I don't do it to make money. You've got to be a particular breed to do that. You've got to. Some people, as soon as they see a chance of something cheap, the moment they see it all they do is just count out how much they can make. I don't. I never do. If I can do somebody a favour. I don't like doing people. It's a bit of good fortune, that's all you're putting over.

(Paul)

Indeed, when a member does it only for the goods he buys himself, it is questionable whether he is even saving money. Certainly in the case where he is buying goods because they are available at a bargain, rather than because they are needed, this is doubtful. As Steve remarks:

They could do without those things. It probably wouldn't even occur to them to buy them if they weren't going cheap.

Why is it then that at the theoretical level, i.e. when members talk about trade, it appears to be an activity in which money can be made, and bargains obtained, but at the practical operational level, this is rarely the outcome? I believe the answer lies in the very nature of the social organization of the enterprise and in particular the actual as opposed to the theoretical pricing policy of the members. Basically, the prices charged for cheap goods, (unlike the prices charged for stolen goods in the professional fencing activity, See chapter 2 pp. 68-69) are determined by the nature of the relationship between members. The price charged by a member who is a dealer, to any one member who is a receiver, reflects the strength of the relationship between himself and the member with whom he is dealing. Very crudely three strengths of relationship can be identified: relatives, friends, and acquaintances.

At a fundamental level, close relatives and friends are often given goods and not even charged cost price, and when they are it is never more than the dealer paid for them:

On those cigarettes I did, I used to make something like a pound or two pounds, nothing worth the risk. For a start, you know you go to work. You've got to give some to so and so at the price you bought them at because whenever he gets something he lets you have them at the price he paid for them. Then again, Freddie never charges the family any extra. They get it at the price he paid for it. So he's doing it for nothing a lot of the time.
(Steve)

See it's when you start mixing with friends that you can't charge them. You can't really charge them extra.
(Michael)

Indeed, where a friend is involved the evidence suggests that the deals are made for the purpose of reaffirming the established relationship. Thus, in cases where the request is made for cheap goods, this will be reciprocated, not to make money, but because the friend wanted, and had a genuine

need for the goods:

It may be stolen, it may not. It's not important. You want it they'll get it. I was over Ted's the other day and I needed two hundred weight of cement. So I was swearing and cursing about the fact that everywhere was closed and that I'd have to go to Dover to get this cement and he says, "Oh well, I've got some here you can have". He'd got two hundred weight of cement. Whether he'd bought it or where he'd got it from, I don't know. He'd had more than that, used what he needed and passed the rest on. You know it's the same sort of thing. It's stuff that you have or you can get that somebody else needs.
(Derek)

It doesn't have to be stolen. It's what they want. Like the guy with the wings. He just said he wanted them and I said, "Well I can get them for you"... I tell you what, you name it and I bet you I can get you it. Give me long enough and I bet you I can get it for you. But there again, it's not necessarily knocked-off. It might be straight but there again it's going to be cheap.
(Michael)

He doesn't get much out of it. It's favours in return as much as anything else. But he doesn't do it for money. It's not a business deal. You know, it's not a shady business deal. It may sound odd but it's sort of like a community action group. But they wouldn't understand it in those terms. That wouldn't mean anything to them. They just do it. They say, "I'll do that for you, or my brother'll get that for you", this sort of thing. In that way it works quite well. It's set itself up very well. They're not really getting anything out of it personally, but they get some satisfaction out of knowing what they're doing.
(Derek)

Similarly, where the goods are offered, purchase is made because the seller is a friend:

A lot of the time he's buying this stuff just to stay in with this sort of... on the fringe of this sort of criminal area. But then again he wouldn't want to refuse purchases, because they're good friends, so he's helping him out by buying the stuff.
(Steve)

If it was someone I knew, like one of my mates come up to me and said, "I got a couple of pair of trousers", I would probably have them to help him out, you know, and me at the same time. Well, you know, your mates and you know what they do. I've been asked if I wanted to buy radios cheap before. I said, "Oh I'll have a radio", you know, but I didn't really want to. I just had it to make out that I'm trying to be helpful, trying to be a good mate.
(Dick)

This leaves the category of trading acquaintances.

Here, it is true that a degree of profit is included in the

price charged by the dealer on top of the cost price:

I do it to make a bit of money. But there's no real money in it. There's not lots of money, it's just for the little bit extra. Stuff like those wings that I can get immediately. I could have it there next week. They cost me nineteen quid and I'm letting the bloke have them for twenty pounds. It doesn't cost me anything so it's near enough a straight pound, just for the fact that it's tied up for a couple of weeks. But if the guy wasn't a friend of mine - see I'm hardly making anything at all out of that by the time I've run round and done this and that. What's the point. - But if it was say anybody else I would possibly have knocked them out for about twenty five in that case it would have been worth doing it. But this guy's a friend.

(Michael)

It's only when you have friends you're selling to that you don't make much. You know I've got a friend of mine who's got some of those little Japanese tape recorders. Well he's knocking them out for a fiver, but he sells them for eight quid. See he sells them to me for a fiver and to anyone else for eight quid.

(Michael)

Oh I'll get it for a mate, fair enough, but I'd rather get it for somebody else, somebody I didn't know, because I can make more out of them than I can off a mate, because somewhere along the line, for some unknown reason, people never charge their mates as much as what they would someone they didn't know.

(Stan)

However, most of the goods a dealer can get are 'sold' or more accurately as Paul says, "passed on", to friends and relatives, and it is only the goods which remain that are sold to trading acquaintances who are not friends. Indeed, some members rarely deal with trading acquaintances at all;

Oh no he largely keeps it in the family and his friends, more than anything. He don't offer it to anyone else.

(Stan)

O.K. the phone rings now. Lets suppose we've known each other a very long time and we're good buddies, you know what I mean we go for a drink together, and we do lots of things together, because you certainly wouldn't do this with a stranger. I wouldn't ask a stranger. I'd only do it with people I was fairly close with. I wouldn't do it with any Tom, Dick or Harry. See the chaps I knew at work, I knew as friends. He'd have to be a friend first. I'd only pass it on to friends.

(Paul)

Even in those cases where persons are dealt with as trading acquaintances, despite their relatively low status in terms

of dealer relationships, they are still not charged highly. This is because successful dealing even with trading acquaintances, requires that the participants follow certain taken for granted assumptions. As we saw above, these assumptions are partly designed to protect members against the possible dangers of the illegality of their activity being found out. Thus the whole of the acquaintance formation and typing process serves to select only those newcomers who can be trusted not to reveal that an illegal activity is going on. The presentation of stolen goods as in "cheap goods" in an implicitly meaning loaded "test-line" allows the cessation of the deal should the provisionally favourably typed member prove to be unresponsive. The assumptions that no questions are asked, and that the activity is practised carefully, both similarly protect the members from being caught. However, should a newcomer make a successful passage through the taken for granted rules of the enterprise to be provisionally accepted as a trading acquaintance, he will not only successfully negotiate the deal, but will have achieved something else. By following the rules and accepting the members' definitions of the situation he will have explicitly demonstrated that he is, "one of us" that he is part of the "we rationale", and that he is a trusted member of the group. In doing this, he will have expressed at very least, a limited friendship. Though he may only be a trading acquaintance, in the context of the amateur trade this constitutes more than an economic relationship. It is a statement of willingness to engage in the members' rule governed behaviour, accept their norms as his norms, at least for the duration of the action, and in particular to operate that norm of reciprocity which permeates the more important exchanges between friends and

relatives. In acknowledgement of all this, the established member charges the trading acquaintance considerably less as his "profit" than would be charged if the relationship was purely economic. The crucial point is that, if the buyer had not been a member, had not been established to be a member in the first place, through the various stages of the process described earlier, then he would not have been offered the goods. In short then, while framed in terms of economic exchange, the very social organization of the amateur trade precludes the possibility of the members making any real money. But at the same time, in passing on good fortune, it ensures that all members share equally the little benefits that exist.

(iii) Limitations of operational scale

We saw earlier (pp. 168, f.n. 21, 179) how, despite a one-to-one organization of individual deals, the amateur dealer's market is potentially unlimited because of snowball advertizing. We also saw (p.180) how in practice this market is cut back if trade becomes so widespread that the assumption of correct prior acquaintance/membership formation is undermined. This limiting of the market, can be seen as a protective device in so far as it serves to restrict the activity to trustable persons, ensuring this trust by dealing only with friends. However, there is another reason why the market is not allowed to grow indefinitely. If it were to do so, the special qualities that make the activity attractive to its members would be lost. (These are discussed in depth in chapter six). Thus if the scale of operation grew too large, the specialness that comes through selective dealing would be diluted since anyone could purchase cheap goods. Likewise, there would be no special status attached to being

"in on the action", and similarly, no special status to being a dealer "in the know". Instead the activity would become mundane, routinized, and relations essentially economic rather than social. In this event, the choice and spontaneity involved in intentionally organized deals would be lost as demands were made on the dealer to supply:

Oh no he largely keeps it in the family and his friends, more than anything. He don't offer it to anyone else. That could come on a bit strong. Well you've only got to start letting everyone have it and people say, "Oh yes, fair enough" and then they want a constant supply and then they start 'umming and 'arring if they don't get it.
(Stan)

Under such an arrangement, the dealer becomes committed and what began as an enjoyable diversion from the routine of the formal role association itself becomes routine and laborious. When this happens, dealing will be cut back or even stopped:

I didn't mind carrying it to work but it started to get too much. People were asking me for this and for that and I couldn't carry all those things on ordinary journeys to work. I was worried about collecting the money and counting it and it all got too much to cope with so I stopped it.
(Lucy)

In addition, only when the trade is limited to those persons having a relationship with the dealer is trade considered enjoyable. Should the volume of trade expand to include those not first forming relationships, the dealer expresses anxiety about the activity and may cut down. This is because the social nature of the deal is lost to economic concerns and the relationship becomes purely economic:

He had to cut down on it, on the suits particularly 'cause so many strangers were coming up to him asking for suits. When he walked into a firm and you only know two people in there and some complete stranger comes over and says, "Can you get us a suit?" it's not right is it? It could be anybody couldn't it?
(Steve)

Tom Alexander, admitted stealing more than seven hundred bras and seven pantie girdles from the local Loveable Bra factory where he worked. He sold the lot and was amazed at the demand. The court was told, "It got to the stage where he could hardly walk down the street without some woman or even

man, approaching him. The whole thing blew up out of all proportion".

(Guardian, 1975b, p.24)

Moreover, it is only when the trade is on a small scale that the amateur dealer can effectively suppress a concern over the illegality of the operation. When large sums of money or regular exchanges occur, the activity becomes difficult to justify morally:

The driver showed a willingness to deliver more than the odd case. On one occasion, he said there was an extra palet and they found three hundred pounds worth of goods. Mr. Collins realized them that they had got in too deep.

(Grocer indicted on handling charge)

It is for these reasons then, that the amateur trade rarely escalates into a large scale professional operation:

Technically, I suppose it's illegal, it's receiving, but at this level, it doesn't seem to multiply. You know it doesn't seem to get any worse, any more rampant. It works very well and it helps people a lot. You know, and I think from that point of view it's quite interesting.

(Derek)

(D) Celebration of the Deal

In this final process, the newly confirmed and re-affirmed strengths of relationship as indicated in the relative prices charged for goods, and indeed, whether goods are exchanged at all, are publically announced and celebrated.

In his examination of the interaction comprising the amateur trade, Ditton (1974, p.27) sees the payment for goods which he calls the 'pay-off', as the final stage of all "dealer-dealee" interaction. However, he also notes that it often occurs at a different time and place to the purchase. He accounts for this in terms of the protection it gives the participants from its only possible interpretation by uninvolved staff. There is, however, another interpretation of the lag between exchange of goods and payment for them. It could be argued that such arrangements represent reciprocal trust between the parties involved. Even in the professional

enterprise, as Klockars observes (1974, p.125) this trust can be found:

Vincent has told me a dozen times about how drivers will leave cartons on his doorstep or loading platform, to return for their payment at a time when they are not so busy. He is proud of the trust such behaviour signifies.

I share Klockars interpretation on this issue. More importantly my research shows that as well as representing trusting behaviour, payment, whether simultaneous with, or separate from, exchange of goods, is socially enjoyed by both to the transaction:

I was in the pub and saying, "So many coal mines round here, where can I buy coal" and someone says, "Oh we'll send George around". So George appeared with two or three hundred-weight of coal, and there was I, money in hand, about to pay him, and he says, "Oh", he says, "you owe me a pint", something like this. So I said, "Well where does the service end?" this type of thing. He says, "if you need anything, let me know and I'll see what I can do". This sort of touch. Now then, bricks for that fireplace. You can get bricks. You can go into a shop and buy them but they're a bit expensive. I mean I only wanted a hundred and fifty or a hundred or something, I can't remember, and at that time, I said, well the nearest thing to coal, "I'll have some bricks". So he says, "How many do you want and what colour?" 'cause they're all different things see. So I looked at a few, and I met him in the pub and said, "I think I need about a hundred and fifty of such and such", and he said, "I can't promise anything but I'll keep my eyes open". Oh it was about three weeks later he turned up in his coal lorry and they were on the back. He took them off, so he says, "Now you owe me a brandy " or something like this. When I went in the pub I put a quid or two behind the bar for him. They chalk it up on his board. See when he goes in there to buy a drink, it's paid for. It's a way of you know... it's like saying, "You buy me a drink", but it's a more positive thing than that. It's a good system. It's quite nice, quite pleasant.
(Derek)

Indeed, while I agree with Ditton that payment concludes the deal per se, it does not complete the interaction surrounding it and of which the deal is a part.

We can see from the account of Derek that payment for goods, as well as being in money, is also given in "drinks". In this context, "drinks" are more than just payment in kind, as a substitute for money. They represent a particularly social and celebratory payment which is often made in addition

to, rather than instead of the money given for the goods. For example, when Derek was seeking to purchase a cheap wheel barrow he paid the seller three pounds at the time the goods were produced, and placed an additional fifty pence behind the bar for him.

Perhaps the most straight forward explanation of this behaviour is that it is merely to thank the seller for his efforts and as such, constitutes his "profit". Another explanation is given by Klockars (1974) who also discovered similar behaviour succeeding the deal. He describes (ibid., p. 124) how, following a deal, he has seen his fence, "pay a thief's cab fare, buy him his breakfast, give him a sweater for his wife or girl friend and hand him toys for his children at Christmas time." He interprets such "bonus" practices as devices for "cooling the mark after a sharp deal". However, in my own work, such celebration was found to occur where no sharp deal has occurred:

He was knocking out cases of it. He'd go round and these blokes at Lloyds would say, "Oh cheap is it? I'll have some of that ", and they were all slapping this bloke on the back saying what a great bloke he was because he could get cheap stuff.
(Steve)

Indeed, it is my belief that this merriment surrounding the completion of a deal is not just because the goods are cheap economically, or because the seller has done the buyer a favour, or because one party has benefitted at the expense of another (an unusual occurrence in the amateur trade which would bring shame rather than elation). Rather, it is because the goods purchased, and indirectly the deal itself, represent something special:

When I've had cheap stuff myself... when I've had cheap cigarettes I'd be flashing them round the pub, which is the same as what you see in factories. Say a bloke comes in with a big stack of fags everyone's puffing away for the rest of the day and chucking them around. It's not just because you got

them cheap. There's something special about them, somewhere along the line they've become special cigarettes. They're no longer just an average packet of fags that you bought in a sweet shop there's something different about them.
(Steve)

While there are various possible interpretations as to what this "specialness" means, which I explore more fully in the next chapter, it may be taken here that, in part, the specialness relates to the relationships which cheap goods represent. Indeed, it is my contention that the celebration following the deal is prompted by the successful completion of the action of exchange, and that what is being celebrated is the certification of the newly established level or strength of relationship symbolized in the reciprocal gift of "favour" without obligation of immediate return.

I turn now to the next and final chapter in which I examine the cultural context of the members' reasons for engaging in the amateur trade and particularly to the nature of the exchange relationship that constitutes it.

Chapter 6

REASONS FOR DEFENCE : THE MEANING
CONTEXT OF THE AMATEUR TRADE

REASONS FOR DEFENCE : THE MEANING CONTEXT OF THE AMATEUR TRADE

We have seen the general case of moral bridging in which language use is a major factor in the facilitation of morally disapproved acts. More specifically, it has been shown how criminal activities involving stolen goods are rendered available to otherwise morally bound actors. In understanding the amateur trade, all that remains is to grasp the members' reasons for acting. Motives, in the causal sense of the word are no longer at issue, since, as we saw in chapter 4, these relate more to the observers' understanding of an action, than to the members' participation in it. In the following discussion I will suggest four kinds of 'reason' why members engage in the amateur trade. First, however, it is necessary to examine what I take reasons to be.

(A) Actor Based Reasons as Action Generative Motivation

By "action generative", I do not mean that "reasons" are something themselves responsible for behaviour and operating independently and causatively as regards action. As briefly argued in chapter 4 (p.130) , I reject the conception through which action is deterministically interpreted as being motivated by some object-like entity within an individual that is activity arousing. Instead I take "reasons" to be the meaning context and the intentional grounds of purposeful behaviour. It is only in this sense that I use the word "motive".

Though failing to distinguish between the actor based and the observer based conception of motive, Weber (1957) was the first to realize the significance of meaning as the basis of an actor's purposeful behaviour. According to him (ibid., pp. 98-99) motive is, " a complex of ... meaning

which seems to the actor himself or to the observer as an adequate (or meaningful) ground for the conduct in question". However, it was Schutz (1972) who developed this insight by revealing the nature of the relationship between both the actor's and observer's mental process. He criticizes Weber for "lumping" two different things together under the concept of motive. Schutz (1972, p.86) distinguishes between, "... (a) that context of meaning which the actor subjectively feels is the ground of his behaviour and (b) that context of meaning that the observer supposes is the ground of the actor's behaviour". Here we are concerned with the motive which seems to the actor himself as the meaningful ground of his behaviour.

Schutz's theory of mind is the starting point for his theory of action. Drawing on the works of Bergson and Husserl, he argues that consciousness is given an unbroken stream of lived experiences which, while they are actually occurring are meaningless. Only when they have elapsed slightly into the past may we turn our attention towards them in a retrospective glance and in doing so, we give experience meaning and unity. As well as ascribing meaning retrospectively, Schutz argues that we can ascribe meaning prospectively to future experience, and it is in this context that he sees action.

Action is behaviour directed towards the realization of future goals. These goals are pictured as over and done or completed, even though they are still anticipated. The completed act thus pictured but not yet carried out bodily, Schutz calls the "project" of the action. Thus he says (ibid., p. 59):

The analysis of action shows that it is always carried out in accordance with a plan more or less implicitly perceived... an action has, "the nature of a project". But the projection of an action is carried out independently of all real action. Every projection of action, is a phantasying of spontaneous activity, but not the activity itself. It is an intuitive advance picturing...

It is with the project that Schutz's theory of action takes shape. He says that any stage in carrying out an action is explained only in terms of the project which he calls (ibid., p.86) the "in-order-to" motive of the action. The project is the motivating factor of the action and is the sole reason why it is performed. It is important to note here that it is the project which Schutz says is given by the actor when asked for his reason for acting. He says (ibid., p. 89) : "When asked about my motive, I always answer in terms of "in-order-to"...". However, he goes further than this, for he does not merely stop at the project as a reason for the performance of an action, but suggests a reason for that reason.

Schutz argues that the constitution of the project is itself explained by the lived experiences that have occurred in the actor's past. He says, (ibid., p. 90) "...the project itself necessarily refers back to past acts analogous to the projected one. These past acts are now reproduced in the consciousness of the person formulating the new project". He calls the prior lived experiences forming the context of meaning on which is built the project, the "because-of" motive. Thus he says (ibid., p.92):

In the in-order-to relation, the already existent project is the motivating factor; it motivates the action and is the reason why it is performed. But in the genuine because-relation, a lived experience temporally prior to the project is the motivating factor; it motivates the project which is being constituted at that time.

If we look at the stages of Schutz's motivational theory of action in sequence, it may become clearer. The argument is that, perception of a phenomenon, or raw experience, itself has no meaning, but it gives rise to an "Act of turning attention towards" the total complex of past experience. This in turn lights upon the construction of a project, which once in existence is itself the motivating agent brought to fulfilment by performing the action. For Schutz, the intentionality of the action is not in its performance, or in its project, but in the "Act of turning attention towards" our past experiences in projecting future action. Put another way, Schutz accounts for the actual performance of an action in terms of three levels of reasons. He sees (1) the reason for the performance of the action as the project or goal of the action; (2) the reason for the sketching out of a project as the intentional "Act of turning towards" past experience and (3) the reason for the intentional Act as perception of raw experience at the time of performing the action of a previous project.

In the amateur trade, members are found to have two kinds of in-order-to reasons for engaging in the performance of the action. As we saw earlier (chapter 5) they answer questions about why they do what they do in terms of "in order to make money" or "in order to buy cheap things". The former reason is given by amateur dealers, while the latter is offered by both amateur dealers and lay receivers. However, these reasons are used in talk with self and others about the activity. In Schutz's terms they are the accounts of the projects of the activity engaged in. The reason for the construction of these projects is not made explicit by the actor. As Schutz says (*ibid.*, pp.94-95):

The meaning of an action...is, we maintain, taken for granted by the actor and is quite independent of the genuine because-motive. What appears to the actor as the meaning of his action is its relation to the project. It is not the process by which the act was constituted from the genuine because-motives. In order to comprehend the genuine because-motives of his action, the actor must carry out a new Act of attention of a special kind. He must, that is, investigate the origin of that project which considered simply as a product, is the meaning of his action .

Thus the constitution of the project will only be revealed if we pursue the matter beyond the members' accounts of their projects, to the meaning context which they draw on in accomplishing the amateur trade.

In this study I found four kinds of because-reason responsible for the formulation of the project. The first of these is the meaning complex of past experience concerned with making money and buying cheap goods which is familiar to persons through their cultural experience of a capitalist market economy. This is not to say that members' experience of this is the same, but that such an economy provides a particular set of accounts for describing and attributing motives to members' behaviour. It is my argument, that whatever passes for normal economic activity for particular individuals (despite the apparent uniformity of accounting for it), is responsible for the intentional Act of project construction only in the case of the newcomer to the trade. Once the activity comprising the trade has been performed and experienced in the context of the members' interpretational criteria, a different set of reasons take the because-role in the projection. These reasons are the meaning of the now past experience comprising participation in the activity of the amateur trade. They are different from the original because reasons accounted for in terms of "making money" and "buying cheap", despite continued description of the activity

in these terms. In short then, while the in-order-to motive stays the same, the because motive changes with the actor's experience of the performance of the activity. This may appear to be no more than a general statement of the specific application of theory in Becker's (1953) interpretation of learning to enjoy the effects of marihuana use, in which he (ibid., p.253) illustrates, "the utility of explaining behaviour in terms of the emergence of motives and dispositions in the course of experience". However, as Matza (1969, pp.109-44) points out, Becker's account of the opening moves, that is of "being willing" to enter the following interactional process are totally inadequate. In Schutz's terms, Becker, while being aware of the change in because-of motive, fails to account for the presence of the original because motive, responsible for the formulation of the project of marihuana use.

In the amateur trade, as well as the original because-motive upon which a newcomer constructs a project, and which is present prior to his experiencing the amateur activity, I found three other kinds of because motive which emerge after experiencing the performance of the activity, and which are responsible for any repeat performance of that activity. These comprise the complexes of meaning of (1) reasserting humanism; (2) social enjoyment of the activity; and (3) formation of intimate social relationships. Before looking at each of these in turn, I will examine the because-motive constituting the projects of "making money" and "buying cheap goods" which are used by members, and particularly by newcomers, to account for their initial orientation to the trade.

(B) "Making Money", "Buying Cheap" and Capitalism

My argument in this section is that the economic organization of capitalist society is such that "making money" and "buying cheap" are socially available motives (accounts) for making exchange behaviour intelligible. It is my contention that the meaning which exchange behaviour has for those outside the context of the amateur trade gives rise to the initial preparedness or willingness for these newcomers to engage in amateur trading activity. This is not to say, however, that any particular newcomer values making money or buying cheap goods, but that they use these motivational accounts as glosses for their experience when engaged in behaviour they take to be exchange. In short, the meaning that these goals have for newcomers in their own everyday cultural experience of exchange relationships constitutes the because-of motive for their projected entry into the amateur trade.

(i) "Making Money"

It must be acknowledged that money is the most important institution in our society based as it is on division of labour. Nobody can live without money today; not only does it dominate the economic system, but also most of the people, organizations, political parties, etc., With money, and only with money can one get what one wants. Money is much more than any other ware; money is the universal symbol comprising all goods. Money is...the ware a priori! It is the virtual mainspring of today's world and nearly everything is centred around it. Money governs the world. The indispensable nature of money for life, the quality of power which is represented by it and its anonymity have made it the most important criminogenic factor.

(Amsel, 1973, p. 180)

The above quote may be seen as illustrative of how making money or making a profit, is taken to be a central feature of capitalist industrial economies. In discussing the first pages of Das Kapital, Aron (1969) usefully summarizes Marx's depiction of two modes of economic exchange, in which Marx

argued that making profit was peculiar to the capitalist economy. He says (ibid. pp. 127-28) that in one type of exchange you proceed from commodity to commodity by way of money. You possess goods for which you have no use, and exchange these either directly, as in the case of bartering, or indirectly, via money, for the goods you need, giving the goods you had to someone who wants them. The point about this kind of exchange is that even in indirect transaction, no surplus or profit is released since money is the universal equivalent for the merchandise and movement is between commodities via money.²⁶ The second type of exchange, which is money to money by way of commodity, however, has the peculiarity that at the end of the process you have a greater sum of money than you had initially. It is this type of exchange that is held to be characteristic of capitalism. Thus Aron (ibid.) says, "The essence of capitalistic exchange is to proceed from money to money by way of commodity and to end up with more money than one had at the outset".

It is important to realize that what commentators define as capitalist is not merely the lure of monetary gain. As early as 1904, Weber (1930, p.17) pointed out that, "The impulse to acquisition, pursuit of gain, of money, of the greatest possible amount of money, has in itself nothing to do with capitalism", and has existed among all sorts of men in all sorts of conditions. The point about capitalism made by both Marx (1867) and Weber (1930) is that it is characterized by the pursuit of profit and forever renewed profit, not itself to be consumed, but used in the sense of investment to make more profit. Thus as Weber says (ibid., p. 17), "We will define a capitalistic economic action as one which rests on the expectation of profit by the utilization

of opportunities for exchange, that is on peaceful chances of profit".

Classical economic theory assumed that the primary objective of the business firm is to maximize profit. In the classical epoch of the nineteenth century, the Protestant entrepreneur, being both owner and manager of his enterprise, was held to strive towards such profit maximization and unlimited capital accumulation. More recently, it has been argued that a decomposition of capital through a separation of the functions of ownership and control has resulted in a tempering of the profit motive. Commentators (Berle and Means, 1932; Crosland, 1962; and Galbraith, 1967) argue that we now have a "managerial capitalism" in which those controlling industry, i.e. managers, are moved by considerations other than those of the owners and that managerial motives and impulses are necessarily better, less selfish and more socially responsible than those of the old style owner-capitalist. They maintain that there is a sharp contrast in regard to profit between the obsessively maximizing classical capitalist and the coolly detached, public spirited, professional manager. However, this "propaganda of capitalism" has been attacked in more recent writing. Thus Miliband (1972, p. 33) says that in the first place this theory of managerialism presents a far too narrow view of the motives of the traditional capitalist entrepreneur - a view that Marx himself did not even share. He asserts (ibid., p.34):

Nevertheless, like the vulgar owner-entrepreneur of the bad old days, the modern manager, however bright and shiny, must also submit to the imperative demands inherent in the system of which he is both master and servant; and the first and most important such demand is that he should make the "highest possible" profits. Whatever his motives and aims may be, they can only be fulfilled on the basis of his success in this regard. The single most important purpose of businessmen whether as owners or managers, must be the pursuit and

achievement of the highest possible profits for their own enterprisés. Indeed, an economic elite dripping with soulfulness would not, in the nature of the system know how to pursue a different purpose".

Similarly, Blackburn (1972, p.170) has argued:

The motives behind the decision of a manager may well be very complex and seemingly removed from economic calculation: he may desire to impress his wife or secretary, to further a personal vendetta, etc. But finally all these aims by a sort of reduction of quality to quantity, will have to be mediated by the market; managerial decisions will have to be vindicated in market terms, as failure within the market will frustrate almost every kind of personal ambition and indeed, threaten to deprive the manager of his managerial functions.

In addition to critical commentators' characterization there is evidence, both in the theory and practice of modern business that the profit motive is held to be a fundamental goal. Glance at the most elementary text on economics or business organizations and the following kind of statement will be found (Davis, 1971, p.16), "All business enterprises have as their primary objective the achievement of a profit goal..." Managements themselves explicitly accept a profit motive as the theory suggests. Thus Chamberlain (1962) reports on a survey of more than four hundred companies in which 95% engaged in comprehensive planning for defined short-run profit objectives, and that of these about nine-tenths specify the objective concretely in writing. In another study reported by Blackburn (1972), Shenfield (1971, p. 164) found that the objectives of 25 large British companies were primarily to be efficient and profitable, and "being socially responsible would serve no useful purpose if it hindered these overall company goals". Thus in a concluding discussion on The New Capitalism, Blackburn (1972, p.182) says that in the typical neo-capitalist economy, the ultimate goals of capitalism, that is the accumulation of capital and the making of profits, are not changed, but increasingly rational methods are employed to attain them.

The implications of the accounting that holds profit as the central and fundamental goal of the organization of economic activity in neo-capitalist society, run deeper than the economy to which the thesis pertains. It reflects back on the efficiency and performance of the activity of individual firms. Indeed, Davis (1971, p. 16) holds that in the theory of management by objectives (See Drucker, 1964) the only way the efficiency of a business organization can be assessed is by discovering ways of measuring how successful it is in terms of its profit objectives. Similarly even Baran and Sweezy (1966, p. 40) who reject the notion of profit as ultimate goal when talking about the modern corporate business say, "profits, are the necessary means to all ultimate goals. As such they become immediate, unique, unifying, quantitative aim of corporate policies, the touchstone of corporate rationality, the measure of corporate success". In turn, the ability to make profit is held to be a means of assessing an individual businessman's success and ultimately his work performance. Thus Brown (1974, p. 111) though himself in disagreement with this approach notes that, "The manifest basis of judging the chief executives performance is often stated to be the financial results alone". Indeed the notion of the ability to make profit, as an indicator of individual success and performance, is reflected in media reaction to individual businessmen, who when making profits for their respective enterprises are heralded as financial wizzards and monetary geniuses, but when producing a loss are seen as failures and may even find themselves facing criminal charges.

Finally, in addition to being seen as the

backbone of capitalist economy and as an indicator of individual work performance, making money, is located as accounting for personal gratification. As Amsel (1973, p. 180) notes, "Money is a legally sanctioned claim on the economic system". An individual's possession of money or the things that it can buy reflect how successful he is in making money. Early protestant capitalists, if we accept Weber's thesis, valued making money only in the sense of it being evidence of doing God's work through one's "calling", though seeing the consumption of its rewards as sinful. Neo-capitalists as Weber (1930, p. 181) predicted have sacrificed asceticism: "material goods have gained an increasing and finally inexorable power over the lives of men... Today the spirit of religious asceticism has escaped from the cage. But victorious capitalism, since it rests on mechanical foundations, needs its support no longer".

With these three components of the gloss "making money" being used to account for persons participation in the buying and selling role of legitimate economic exchange it is not incredulous to see how a morally bridged newcomer, presented with what he takes to be a similar dealing opportunity, apparently enjoyed by those engaged in it, accounts for their participation of it in the socially available terms of "making money". Indeed, he can only draw on these available motives, because it is only in terms of them that activity is rendered understandable. However, should he construct a project to participate in the trade, it will be on the basis of what he takes making money to mean; that is on the basis of his past experiences of activity which he takes to be the same.

This may be his experience of legitimate exchange, it may be his experience of some other form of exchange. If he is a newcomer, however, by definition he will not have experience of amateur dealing on which to base his projection. It is important to emphasize that, even prior to his experience of the amateur trade, the newcomer's accounting for his activity is in terms of the socially acceptable motive of making money but this motive is not synonymous with his grounds for constructing the project, which is peculiar to his own past experience, of similarly classified behaviour.

(ii) "Buying Cheap Goods"

Our enormously productive economy depends that we make consumption our way of life that we convert the buying and use of goods into rituals, that we seek spiritual satisfactions, our ego satisfactions, in consumption... We need things consumed, burned up, worn out, replaced, and discarded at an ever increasing rate.
(Victor Lebow, 1955, p. 166)

"The capitalist economic system, with its desire for unlimited production and growth, is futile unless the produce of its activity can be sold." Both supporters and critics of the system agree that this is the case. Thus Jefkins (1972, p. 3) a supporter, says,

The most disasterous thing that could happen to an economy would be wholesale thrift. When people buy they keep people working and when people are working they have money to spend... It is a world economic problem that many goods are made which cannot be bought and consumed.

While Packard (1961, p. 6) a critic of the American case proclaims:

Already the pressures to expand production and consumption have forced Americans to create a hyperthyroid economy that can be sustained only by constant stimulation of the people and their leaders to be more prodigal with the nations resources.

They must learn to consume more and more or, they are warned, their magnificent economic machine may turn and devour them. They must be induced to step up their individual consumption higher and higher, whether they have any pressing need for the goods or not. Their ever-expanding economy demands it.

Packard (1961) suggests that increasing efficiency of production and marketing are responsible for the exhortations for greater consumption. The activity of buying goods is already present. The central problem described as having to be faced by producers is how to stimulate, within the buying context, a greater desire for consumption based on newly created wants and needs. Thus in this way advertizing is used, as (Jefkins, 1972, p. 4) "the means of making known in order to sell goods and services". Both supporters and critics agree that the central point is the effort by marketeers to increase buying.

Instead of selling the product's intrinsic value, fears and anxieties, which advertizers consider that people have, can be appealed to and be seen to be satisfied by the purchase of a product. Packard (1960, p. 15) points out, "The cosmetic manufacturers are not selling lanolin, they are selling hope. We no longer buy oranges we buy vitality. We do not just buy an auto we buy prestige."

One of the most effective techniques for selling more goods is by selling more of the intrinsic value of the good than is normally offered at the price. In this method people are buying a good but getting something for nothing, or at least this is what they believe is happening. As a result we have seen the emergence of "bargains", "Cut-price", "reduced", "best buys". Indeed, Packard (1961, p. 136) reports commentators on the consumer scene saying, "We have reached the point where price lists are

no longer prices; they are simply advertizing devices... For a widening range of goods only a sucker pays list prices."

Another approach to get consumers to buy more is to induce them to get rid of the products they already have, basically by throwing things away. This is achieved by making sure the goods don't last too long, i.e. (Packard, 1961, p. 68) "planned obsolescence". As Packard (ibid.) tells us, the main kinds of obsolescence creation are those of quality and desirability. The former involves a breakdown or wearing out of the product in a given, short space of time; the latter involves wearing out the product in the owner's mind, i.e. stripping it of desirability even though it continues to perform dutifully. Often obsolescence of desirability is produced by making the public style conscious, then introducing styling and other changes which render the already purchased product out of date.

However, it is recognized (Jefkins, 1972, p. 8) that there is a tremendous wall of inertia and apathy which advertizing has to assail, and it is held that advertizing does not and cannot create needs or desires, but explores these as they already exist and then orientates its products towards their fulfilment.²⁷ Ogilvy Benson & Mathers' (The Creative Manual, n.d.) a leading advertizing agency say (p. 14), "Persuasive advertizing assumes that the consumer has a set of needs, and that he is aware of several competing brands which could fulfil them. It serves to convince the consumer that one brand is preferable to the others. Jefkins, (1972, p. 4) says, "Advertizing is concerned with much more than the giving of information. It makes known in order to sell. Thus

the operative work is sell, and we must not forget that the object of advertizing is to persuade people to buy."

Advertisers attempt to fulfil desires and needs through the sale of goods, such that all requirements are seen to be ultimately met and arguably satisfied through the purchase of commodities. As the agency manual of Ogilvy, Benson and Mather (n.d.) says, as well as attracting attention, providing information and maintain interest in the produce, "Good advertizing":..

induces adoption of this information into people's systems of belief, ideas and images of the product....turns it into sales.... it persuades consumers to try a new product or to buy more of a product they already know... it establishes a strong wish to buy - so strong that a gentle reminder from a shop display will make a sale.... will improve the status of a product amongst consumers priorities... it provides justification for having bought the product or for buying more of it....it reassures consumers who have bought a product and persuades them that they have made a good choice.

Thus advertizing is held to ensure that societal members fulfil their economic role as consumers. It defines as desir^uable the purchase of goods whether or not these commodities are actually needed. In doing this it predisposes the consumer to purchasing goods and especially towards purchasing "cheap goods". Therefore, when the newcomer to the amateur trade is presented with "cheap goods", he will already have experienced activity similarly described as a result of his involvement in everyday purchasing of goods. He may also have a notion of what this particular amateur activity involves based upon socially available accounts of it. These complexes of meaning will form the basis for his constructing a project of whether or not to buy what are described to him as "cheap goods". However, in accounting for his behaviour he uses the gloss of economic rationality which as we have

just seen is the accepted mode of intelligibility for such purchasing behaviour, Thus he says:

Everybody's happy to get something cheap if they can.... everyone's willing to buy stuff cheap and the bloke who won't buy it becomes an outsider. If he won't buy it then there must be something odd about him....
(Steve)

I always think that if someone's offered a bargain, whether it's stolen or not, if they refuse it then there must be something wrong with them.... If I offered you something that was a bargain, if you was in your right mind, you'd have it. I should think 99% of people would, if they were in their right mind....
(Stan)

Well we live in a consumer society don't we? You know if you come in with a lot of nice vases and curtains and fishing rods, and electrical goods and things like this. It's all goods isn't it, possessions, commodities, things. They might not be any fucking use to you but you have 'em and there you are you see.
(Frank, Probation Officer)

I now turn to examine the because-of motives that emerge from an individual's experience of actual involvement in buying and selling of stolen goods. The first because-of complex of meaning I examine is the sense of reasserting humanism.

(C) Reasserting Humanism

Labour is external to the worker, i.e. it does not belong to his essential being; that in his work, therefore, he does not affirm himself but denies himself, does not feel content but unhappy, does not develop freely his physical and mental energies but mortifies his body and ruins his mind. The worker therefore only feels himself outside his work and in his work feels outside himself. He is at home when he is not working and when he is working he is not at home. His labour is therefore not voluntary but coerced; it is forced labour. It is therefore not the satisfaction of a need; it is merely a means to satisfy needs external to it. Its alien character emerges clearly in the fact that as soon as no physical or other compulsion exists, labour is shunned like the plague.

(Marx, 1844, p. 71)

Sure I'd get more by doing an hours overtime, but I don't want to do that. I see enough of it all day long. It's boring. I'm tired out doing my work all day. Do you think I'm going to stay there a minute longer than I have to. But this is not the same as work. It's money earned in your own time. You're your own master. No one's telling you what to do. It's the way you want to spend your time.
(Lucy)

In this section I start from the assumption that there is a natural, ideal state of human existence, but that members of capitalist society are removed, indeed, alienated from it as a result of the organization of their economic activity. I argue that at every opportunity, an effort is made to return to the ideal state. I maintain that the experience of involvement in the amateur trade in stolen goods is one of a number of means through which this ideal state can be reached. In short, I argue that for persons having experience in the amateur trade, further participation, in part, is a means of reasserting humanism and as such forms part of the meaning context constituting their because of motive.

From the outset, any discussion involving alienation should make explicit that the alienated condition necessarily hypothesizes a state of non-alienated human being; moreover that such a state is normal, natural and desirable . Thus Seeman (1959, p. 790) notes that in alienation, "what is being postulated is some ideal human condition from which the individual is estranged. To be self-alienated means to be something less than one might ideally be if the circumstances in society were otherwise." On the ideal condition, Lukes, (1967, p. 142) says, "Marx view of natural man is of a being with a wide range of creative potentiality, whose self realization exists as an inner necessity, a need", while in the same context, Aron, (1969, p. 147) speaks of a "total man who... truly realizes his humanity who prefers those activities which define men".

The exact nature of the non-alienated condition is rarely stated independently of description of the

state of alienation. However, it would not be inappropriately described as that condition in which man is free to participate naturally and spontaneously in creative and constructive activity, to sensuously experience this activity as self-initiated, self-regulated and self-sustained, and to recognize any product of the activity as being of his own creation an extension of himself and thereby belonging to him. Only by being allowed to act in this way can man realize his own potentiality as a human being.

However, for the vast majority of the population, the scope and mode of their life activity is determined by their work condition. As Blauner (1964, pp. 183-4) says, in terms of time and energy expended, work remains the single most important life activity for most people. Therefore, as Aron argues (1969, p. 147), in so far as man is a creature who works, "if he works under inhuman conditions he is dehumanized because he ceases to perform the activity that given the proper conditions constitute his humanity." The discussion of alienation is a critical analytical description of the origin and content of life as a consequence of working under such conditions, and as Horton (1964) has pointed out should always be related to the wider critical context.

Commentators (Lukes, 1967; Nisbet, 1970; Marcuse, 1955) have observed that for Marx, the economic organization of division of labour is in itself the major contributory factor in alienation. Thus Nisbet (1970) notes that by fragmenting man into mechanical roles, forcing him to perform pre-established functions rather than leading his own life, he is forced to play none of them touching his inner-most self, but all of them separating man from

himself so that he is, "missing in action". Similarly Marcuse (1955, p. 45) says that for workers, "labour is work for an apparatus which they do not control, which operates as an independent power to which individuals must submit if they want to live. And it becomes the more alien the more specialized the division of labour becomes".

Division of labour is responsible for alienation because it breaks the unity of producing and the produced. It separates the ownership of the products and the means of production, and thereby the right to decide what shall be produced and to dispose of what is produced, from those who do the producing. It replaces fulfilment of producing with a means to subsist making the industrial worker into a mere instrument of production, removed from enjoying the products of his productive activity, but at the same time the consumer of others' products. Thus it separates the consumption of things from their productive use.

In Marx's original (1844) formulation, the division of labour was seen as responsible for four aspects of the alienated condition: i) the relationship of the worker to the product of his labour which was seen as something alien, as an externalized object which becomes independent of its subject, i.e. the worker, and which subordinates the subject to its own externalized essence; ii) the relationship of labour to the act of production, that is to his own activity which did not offer him satisfaction in and of itself but only indirectly by the act of selling it to someone else; iii) the relationship of man to himself as a species being, in which he is estranged from his communal species life into a means of individual life and in which

he relates to others only via the artificial unity of self interest in commodities; and iv) the relationship of man to other men, his fellow men which he treats as though they too were objects.

Moreover, it is not just the wage-earner who is alienated by the division of labour of capitalist economic production, but also the owners of capital, the non-worker. Drawing on Marx, Aron (1969) says the entrepreneurs are themselves alienated because the commodities they 'produce' do not answer needs truly experienced by others but are put on the market in order to produce a profit. Thus the entrepreneur becomes a slave to an unpredictable market which is at the mercy of the hazards of competition. Exploiting the wage-earner he is not thereby humanized since he himself is alienated in the interests of the anonymous market.

What then are the subjective experiences, rather than the objective conditions of the state of alienation? In alienation, man does not fulfil himself but denies himself, does not fulfil his own needs and faculties but earns a means to this fulfilment and as a result has a feeling of misery rather than well-being. In work he does not develop freely his mental and physical energies, but is physically exhausted and mentally debased. He feels tired and frustrated, bored and dissatisfied. As Fromm (1955, p. 120-24) says, in alienation,

Man does not experience himself as the centre of his world, as the creator of his own acts.. does not experience himself as the active bearer of his own powers of richness, but as an impoverished "thing" dependent upon powers outside of himself onto whom he has projected his living substance... does not experience himself as the acting agent in his grasp of the world but experiences the world passively, reactively, as a subject separated from object.

Since the earliest theoretical formulations of the concept of alienation in Marx, Freud, and according to Nisbet (1970) also in Tocqueville, Simmel, Weber and Durkheim, commentators have raised questions about how we know alienation exists and indeed, how we know it is an undesirable state of human being. Thus Cohen (1968, p. 232) while accepting that, "alienation in work in modern industrial organizations is doubtless a reality", owing to, "much factory work being boring and unsatisfying", he asks, "Is there any good reason why most men should enjoy their work rather than their leisure activities?" He further asks (ibid.) "Why is it considered tragic that each individual has to compartmentalize himself in order to relate to different types of social situation?" The response to such questions has been provided at both a theoretical and empirical level.

The theoretical counter to the leisure argument is that work rather than leisure is the major activity of most individuals. Thus Blauner (1964, p. 183-4) says, "The problem with the leisure solution is that it underestimates the fact that work remains the single most important life activity for most people in terms of time and energy and ignores the subtle ways in which the quality of one's work-life affects the quality of one's leisure, family relations and basic feelings." Indeed, it is arguable that the separation of activities into work and leisure is itself evidence of alienation.

A more fundamental area of the alienation debate is that raised by the question of how we know alienation exists. At a theoretical level, it is argued that the production of goods for profit rather than need is evidence

of alienation. Thus Nicolaus (1972, p. 310) says the clearest symptom of alienation is that the labourer does not produce the things most useful to him but instead the things which will fetch the highest exchange value for their private owner. Neither does he consume the things most useful to him since he now acquires things to have them, gaining pleasure in possession rather than use. Where the act of consumption should under the ideal, non-alienated condition be, according to Fromm (1955, p. 133-4) "a concrete human act, in which our senses, bodily needs, or aesthetic taste are involved;... a meaningful, human, productive experience. In our culture there is little of that. Consuming is essentially the satisfaction of artificially stimulated phantasies, a phantasy performance alienated from our concrete, real selves." Instead of consuming for a fuller more satisfied life, consuming has now become an end in itself. As Fromm (*ibid.* p. 135) says:

The act of buying and consuming has become a compulsive, irrational aim, because it is an end in itself, with little relation to the use of, or pleasure in the things bought and consumed.

While Gorz (1965, p. 349) says that "neo-capitalism sells a means to a make believe human existence through the possession of pre-packaged symbols of humanity."

At an empirical level, various attempts have been made at measuring the existence of alienation by operationalizing the concept into empirically manageable indicators as in Seeman's (1959) five-fold classification of the elements of alienation: powerlessness, meaninglessness, isolation, normlessness, and self-estrangement. This schema has been taken up in substantive studies, notably in that of Blauner (1964) and Dubin (1956) into the work

and social lives of industrial workers. Irrespective of the conclusions of such studies, some alienation theorists (Horton, 1964) argue that any empirical attempt at measuring alienation is itself an alienation and contrary to the original Marxian use of the term. For example Hirst (1975, p. 210) says, "To use alienation as an explanation of a particular phenomenon would be quite absurd for Marx, since alienation is a concept in a theory whose object is the dissolution of all phenomenon. To prove the existence of alienation by indices, scales, etc., would be an absurd alienation in itself." However, it is perhaps worth looking at one of the most influential studies of this kind, that of Goldthorpe and Lockwood's (1969) study into the attitudes of "affluent workers", which contradicted many of the findings of previous studies that had agreed with the depiction of the industrial worker as alienated. Goldthorpe and Lockwood found that workers on the car assembly plant that they studied defined their work in an essentially instrumental way. They saw it as a means to other ends, external to the work situation. As a group they never expected or received any intrinsic satisfaction from their jobs. Work was seen as a generally unsatisfying and stressful expenditure of time and effort which was necessary in order to achieve a valued standard and style of living in which work itself had no positive part. However, they found that 59% of those studied had moved from a more rewarding preferred job to their present employment. This led them to conclude that there is no direct and uniform association between immediate shop-floor experience and behaviour; that it is difficult to see the "instrumental attitudes" and behaviour as being the effect of their tasks and roles

within the organization. Thus they say (ibid., p. 182) "Rather their propensity to accept work as essentially a means to extrinsic ends would seem better understood as something that to an important degree existed independently of, and prior to, their involvement in their present work situations". Indeed, they argued that this had been missed in previous studies because these failed to appreciate that the effects of technologically determined conditions of work are always mediated through the meanings that men give to their work situation, and because these meanings vary with the particular sets of wants and expectations that men bring to their employment.

Goldthorpe and Lockwood's findings are, however, amenable to a different interpretation. It is not sufficient to take movement from a relatively more satisfying job to a relatively less satisfying but more highly paid job as indicative of choosing an alienated condition. The crucial point is that both types of job exist within the capitalist mode of production. The worker has no choice. In such a context he is not unalienated or less alienated merely because he works as a skilled rather than unskilled occupation. He would be alienated in almost any job in capitalist society in so far as they all separate ownership of produce from control. Indeed, that workers 'choose' an apparently more alienating condition of work is indicative of the increasing permeation of alienation. Goldthorpe and Lockwood (ibid., p. 182-3) admit this possibility when they say, "It might still be held that to devalue work rewards in this way for the sake of increasing consumer power is itself symptomatic of alienation - perhaps even alienation in an extreme form." However, they argue, "that in this

case, the idea of work being invariably the prime source of alienation has to be abandoned and its origins sought elsewhere specifically, in whatever social-structural or cultural conditions generate 'consumption-mindedness' of the degree in question." But "consumption-mindedness" stems from the conditions of work: not work in the narrow sense of the technology of the shopfloor, but the overall division of labour whereby workers are separated from their product and its use, are transformed from productive users to possessive consumers. Thus, in stimulating a false consumption through generating anxieties and dissatisfactions capable only of transient satisfaction in purchase, in creating a desire to possess as an end in itself, the worker is forced to seek jobs paying higher wages or to demand higher wages for his present job.

Goldthorpe and Lockwood's observation that the immediate conditions of work are mediated by the meanings members bring to the workplace is too simple a treatment of the workers' collision with an apparently objectively given work situation. Workers do not merely have a set of meanings which act as a buffer for their passive acceptance of work conditions. Rather, their meanings are the active grounds of attempts to change those conditions. Thus while Marx (1844, p. 95) saw communism as the only ultimate means to the realization of humanism, studies of the actual activities of workers reveal that more immediate measures have been adopted to limit alienation in the workplace.

Studies (Lupton, 1963; Roy, 1953; Sykes, 1960) show that even in the objective conditions of alienation imposed by the division of labour, workers form spontaneous social relationships in work and develop their own norms

and controls on the production activity. In particular, they control what constitutes a proper level of output, how best to tackle a job, and whether or not innovations should be successfully introduced. Indeed, many restrictive practices are not necessarily restrictive, but intended to prevent unemployment, maintain worker unity and maintain their limited control over the productive process. Of particular interest is Roy's (1953) study of quota achievement by machine shop workers. Roy found that the process of striving for and achieving the goal of quota production in a piecework system could carry its own non-economic reward. He said that despite workers' continual reference to its economic benefits no one really believed that he had been making money in the sense of improving appreciably his financial status. (As in the case of the amateur trade in stolen goods, see chapter 5). However, he says (*ibid.*, p.511) that the difference between quota yielding piecework job and day work, in operator experience might be the difference "between experience characterized by intention, organization, and completion - a self-imposed and finished task, problem or game - and experience that was aimless, unintegrated, and concluded with mere cessation of activity." He said that the attainment of quota marked the successful completion of a task or solution to a problem in which the outcome is largely controllable by the operator. Making quota called for the exercise of skill and stamina, and it offered opportunity for self-expression. Thus he maintains, (*ibid.*), "The element of uncertainty of outcome provided by ever-present possibilities of bad-luck, made quota attainment an exciting game played against the clock on the wall, a game in which the elements of

control provided by the application of knowledge ingenuity, and speed, heightened interest and lent to exhilarating feelings of accomplishment". In contrast to day-work where the operator had only the pause of lunchtime break to break-up the meaningless flow of time, he had, in his piecework game, an hour-by-hour series of completions that served to mark his position in relation to the larger completion of the day's work.

It is in this context in which the worker imposes his own structure on the conditions of work that I see the amateur trade in stolen goods. Participation in either dealing or receiving enables the worker to impose his own organization on the production situation. Instead of being a place where workers are engaged in the alienating task of making part of a product they often never see, the work situation is seen as a backcloth, indeed an area of resources and relationships ripe for the amateur trade. It is a place where goods can be acquired and sold to satisfy others needs. The acquisition process requires skill and knowledge in how to remove objects from the ownership of the company and to transfer that ownership to another. It requires cooperation with fellow workers in both the removal and the cover-up of the theft. The sale itself will require much application of basic social skills in determining whether the buyer has a genuine and legitimate need for the goods, and whether he is suitably 'qualified' to be a receiver. It will require the prior negotiation, the placing of an order, and in the final transaction, will be celebrated to complete the project. In this way, the workplace serves as a source of 'raw materials' for the creative, constructive activity of the 'production' of deals.

In so far as workers engage in activity like the amateur trade to realize their human creativity; in so far as the, amateur trade provides a means toward temporarily achieving the non-alienated condition in which self can be reasserted, it forms the meaning context constituting part of the experienced members' because of motive.

I now examine the nature of enjoyment experienced through participation in non-alienated activity of which the amateur trade is an example.

(D) Social Enjoyment, Play and Non-Alienated Action

Culture arises in the form of play...It is through this playing that society expresses its interpretation of life and the world. By this we do not mean that play turns into culture, rather that in its earliest phases culture has the play character, that it proceeds in the shape and mood of play...Civilization is in its earliest phases played. It does not come from play like a babe detaching itself from the womb: it arises in and as play and never leaves it.

(Huizinga, 1938, pp.66 198)

In this section I argue that for those members having prior experience of it, the amateur trade in stolen goods is a pleasurable, socially enjoyed activity. I contend that in substance it has the same characteristics as those activities traditionally taken to be "play". However, I reject the traditionally accepted notion of play which holds that it is an unreal departure from normal like activity. In contrast I suggest that the activities taken as play are glimpses of natural or normal human activity and reflect man's attempt to hatch from the shell of alienation. As such then they are vivid evidence of the feasibility of realizing the non-alienated condition. Moreover in so far as this condition is enjoyable, in so far as it evinces the pleasure of play, it

constitutes part of the meaning context favourable to the projection of further participation in the amateur trade.

(i) Pleasurable Action and Play

The first serious attempt to connect pleasure and action was that of Freud (1922). He argued that persons sought to obtain pleasure and avoid pain. He held that pain was the heightening of stimulation in the nervous system, and that displeasure and pleasure reflect the manner in which the process of mastering stimulation takes place. Pleasure merely reflects, lessening, lowering or extinguishing the amount of stimulation present. Thus he says (1920, pp7-9):

The course taken by mental events...is invariably set in motion by an unpleasurable tension, and it takes a direction such that its final outcome coincides with a lowering of that tension - that is with an avoidance of unpleasure or a production of pleasure.... We have decided to relate pleasure and unpleasure to the quantity of excitation that is present in the mind...and to relate them in such a manner that unpleasure corresponds to an increase in the quantity of excitation and pleasure to a diminution. According to this hypothesis...the mental apparatus endeavours to keep the quantity of excitation as low as possible or at least keep it constant.

Peters (1958, p.77) argues that Freud held an antiquated theory of the nervous system which maintained that activity is always occasioned by stimulation. Nowadays it is held that the nervous system is in a constant state of activity and explanation is needed of the patterning of activity rather than its initiation. Thus in contrast to Freud, Peters (ibid. p.143) asks how the so called 'feeling of pleasure' can be regarded as anything distinct from that which is regarded as pleasant? He says to describe it as pleasant or to say that it causes pleasure is to class it with a whole lot of other things that seem worthwhile experiencing or doing for their own sakes. Thus

he maintains (ibid., p.142), "the reference to pleasure implies that these things are done for their own sake. They are not done out of necessity or duty for any ulterior motive."

In an earlier work, Huizinga (1938) makes a similar case in discussing theories of play. He argues (ibid., p.20) that the numerous attempts to define the function of play show a striking variation yet they all have one thing in common, "they all start out from the assumption that play must serve something which is not play, that it must have some kind of biological purpose". But he says, "The intensity of and absorption in play finds no explanation in biological analysis. Yet in this intensity, this absorption, this power of maddening lies the very essence, the primordial quality of play." For Huizinga it is the fun of playing that resists all further analysis, all logical interpretation, all conceptual reduction to other categories. It is precisely this fun-element that characterizes the essence of play.

In short then, pleasurable activity is activity worth doing for its own sake. Play is just such activity. What are the characteristics of the activity taken to be play?

(ii) Characteristics of Play

Huizinga (ibid., pp.32, 47) defines play as:
 A free activity standing quite consciously outside 'ordinary' life as being 'not serious', but at the same time absorbing the player intensely and utterly. It is an activity connected with no material interest and no profit can be gained by it. It proceeds within its own proper boundaries of time and space according to fixed rules and in an ordinary manner... having its aim in itself and accompanied by a feeling of tension and joy. It promotes the formation of social groupings which tend to surround themselves with secrecy and stress their difference from the common world by disguise or other means.

Primarily play must be a free or voluntary activity, for as Huizinga (*ibid.*, p.26) says, "play to order is no longer play." It is never imposed by physical necessity or moral duty. It is never a task. In a more recent discussion of play, Caillois (1961 p.6) makes the same point when he says play must be defined as free voluntary activity for, "a game which one would be forced to play would at once cease being play. It would become constant drudgery from which one would strive to be freed." Moreover Goffman (1961 a, p.17) notes that it is the denial of effective freedom of play to an individual, such as prison or mental patients, as "when officials declare game-time", that is precisely what makes these unfortunates seem something less than persons.

It is a characteristic feature of play that it is not part of ordinary life. For Huizinga (1938, p.26), "Play is a stepping out of real life into a temporary sphere of activity.." We saw in the last section how ordinary life is largely comprised of material productive activity in the form of work, or work-related behaviour such as preparing to go to work, travelling to work etc., and that such activity is routine and boring. Activities taken to be play however, are different being notably pleasurable and involving. As Goffman (1961 a, p.35) says it is possible to become caught-up in play, carried away by it, engrossed in it, spontaneously involved in it. Indeed, in his study of "friendly poker players" Zurcher (1970, pp.183-4) found that members perceived themselves to be in a "different world" when they were playing, a world "separated" from their other broader day-to-day social relationships.

The fundamental difference between play and ordinary life is argued to be that play is divorced from material concerns. Thus Huizinga (1938, p.19) says the active principle which makes up the essence of play lies in its non-materialistic quality. He says, (ibid., p.27) "It stands outside the immediate satisfaction of wants and appetites, indeed, it interrupts the appetitive process. It interpolates itself as a temporary activity satisfying in itself and ending there...an interlude in our daily lives."

The world of play is separated from ordinary life by what Goffman (1961 a, pp19-21) has described as "rules of irrelevance". These are rulings as to which properties or definitions of the situation should be considered irrelevant to the field of play. As Huizinga says, inside the circle of the game, the laws and customs of ordinary life no longer count. Thus in Zurcher's (1970, p.175) study there were to be no radios or T.V.'s played, as is usually the case accompanying 'leisure' activity in ordinary life; no wives serving beverages; no children looking over shoulders. During the poker play virtually all topics of conversation were deemed irrelevant, and were swiftly curtailed. To be considered an "honest" poker player was taken to be an insult, rather than an attribute, as is the case in normal society. In short then, the norms and rules which in society at large are deemed mandatory were here declared irrelevant. Moreover, in so far as these rules of irrelevance define what is not to be included in the action of play, they also define the boundaries of play and mark out the space in which it occurs.

In addition to being marked out by rules of irrelevance from ordinary life, play characteristically

has rules constituting its own order. As Huizinga (ibid.,p29) says, Play creates order, is order. Into an imperfect world and into the confusion of life it brings a temporary, a limited perfection. Play demands order absolute and supreme. The rules of play determine what is relevant in the play activity. They are absolutely binding. Any deviation from them brings a halt to the play, for it is they that determine the sense that will be accorded to all that occurs within the frame of play. In obeying the rules the players confirm the reality of the world prescribed by them and the unreality of other potential worlds, and it is upon this conformity that the stability of the situation depends. In this arrangement the spoil-sport is seen to be worse than the cheat for the former shatters the play world. By refusing to obey the rules and withdrawing from the game, he reveals the relativity and fragility of the world which he has shut himself with others. As Huizinga says (1938, p.30) he robs play of its illusion - a pregnant world literally meaning "in-play". In contrast, the cheat at least appears to obey the rules and in so doing allows play to continue.

The action comprising play is of a specific kind. It is almost invariably goal oriented and project-like, having a beginning, a middle and an end. It is limited in duration, being played-out within a certain time and place. It begins and then in a certain moment it is over when it has played itself to an end. It begins and is often entered with a ceremony of initiation and is completed when the action has run a course to the completion of the goal. The expressed goal or object of the game is victory. Once this is achieved it is celebrated and celebration marks the end

of and departure from the play. Zurcher (1970, p.184) found that a transition period of informal discussion occurred while members of his informal poker group were waiting for others to arrive. Players who arrived late and missed this period felt it necessary to verbally request that they have a brief period in which to make the transition. After the game a meal followed in which the strict rules applied in the poker play were loosened and the players eased back into normal life, discussing various topics deemed inappropriate to the game.

In playing for the goal of action, competition must be pure and fair. The outcome of the play must be uncertain until the end. An outcome known in advance with no possibility of error or surprise, leading to an inescapable result is, says Caillois (1961), incompatible with the nature of play. To ensure a problematic outcome, and so retain genuine competition it is necessary to handicap any external attributes members bring to the situation. According to Goffman (1961 a, pp.66) the allocation of resources to players is done according to transformational rules. He says that rather than barring completely externally realized properties, the transformational rules are more like a screen, selecting and modifying what passes through it. Thus he says the wider world is introduced but in a controlled and disguised manner.

Moreover, the player's commitment to the action of play must be shown to be serious. This is achieved by staking. Goffman (ibid, p.69) has argued that in game-play, if the stakes are low relative to the financial capacities of the players, interest in the game may be lacking and

they may not take it seriously. Too high a stake, however, makes players over-concerned with the material aspects of the game and so inhibits the natural play of the game.

Finally, seriousness of application of skills by the player is important since the players must win against someone who has been equally attempting to win. The perception that one participant is not competitively involved in the mutual activity is not serious in his attempt to defeat the other by applying himself, his knowledge, ingenuity and skill to that task, weakens for others their own involvement and destroys the excitement of play.

While the action of play is directed toward a goal, the purpose of play is not the goal, but the action itself. While the rules constitute the game to be played, the play of that game is the process of move-taking. The result of the game, i.e. who has won, is unimportant. As Huizinga (1938 p.69-70) says, "There is something at stake,... but this 'something' is not the material result of the play but the ideal fact that the game is a success or has been successfully concluded". As Goffman (1961 a. p.34) says, "While it is as players that we can win a play, it is only as participants that we can get fun out of winning". Indeed, the action of play is enjoyed best, not when it is won swiftly, but when the tension arising from uncertainty is sustained for long periods and when the outcome or pay-off has a good chance of remaining unsettled until the end of play. When the final score becomes predictable, as often happens near the end of play, concession by the loser is likely, terminating the action in the interests of the play. Conversely players who are evidently losing may join forces so evening the imbalance, maintaining the

uncertainty and sustaining the action.

(iii) The Amateur Trade as Play

Superficially the amateur trade may seem an unlikely candidate for an example of play. However, closer examination reveals that in certain respects it shares the same characteristics as do those activities taken to be play. Like play it is a free or voluntary activity which would be stopped as soon as members were expected or felt obliged to buy or provide goods on a regular basis:

I didn't mind carrying it to work but it started to get too much. People were asking me for this and for that and I couldn't carry all those things on ordinary journeys to work. I was worried about collecting the money and counting it and it all got too much to cope with so I stopped it.
(Lucy)

It is also an activity existing as something separate from the formal, standard role activity of the context of ordinary life in which it occurs (See Ch. 5 pp.176-178).

For example while members may use the resources of the work situation during work time, it is not seen as work itself:

Sure I'd get more by doing an hours overtime but I don't want to do that. I see enough of it all day long. It's boring. I'm tired out doing my work all day...But this is not the same as work. It's money earnt in your own time.
(Lucy)

Moreover, as in play, though the amateur trade operates in a medium of material resources, in money and goods, these resources are not the purpose of its operation. As winning is the expressed object of play, so making money, or buying cheap are the expressed goals of members of the amateur trade activity. But as in play nothing material is won, so we find the amateur dealer making no money:

He'll show up at our place to make nothing, with stuff that's worth pounds, and you'd think he was a salesman he gives you such a pitch to buy it. But he doesn't make nothin' on it, so why does he do it? There's something else there, more than the money.
(Steve)

while the lay receiver though buying 'bargains' may save little money on his purchase:

Look people will buy cigarettes if there's only two pence off if they're dodgy. They could probably get them cheaper in a supermarket.

He says look at all the things I've got out of it. But they could do without those things. It probably wouldn't even occur to them to buy them if they weren't going cheap.
(Steve)

Indeed, the role played by money in the amateur trade can be viewed as that of a stake showing the participants degree of commitment to and involvement in the action. Too high a stake, as in play, strangles the amateur trade making it too related to material concerns:

The driver showed a willingness to deliver more than the odd case. On one occasion he said there was an extra pallet and they found three hundred pounds worth of goods. Mr. Collins realized then that they had got in too deep.
(Court Case)

while too low a stake shows lack of serious involvement. Like play the action of the amateur trade is governed by both rules of irrelevance and rules constituting its own order. Particularly rejected norms were those of being an "upright citizen", following the rules of society to the letter, and being honest. As one member said, "You don't trust anybody who's honest." As we saw in Chapter 5 the action of the amateur trade was structured by numerous rules such as the necessary prior relationship formation before dealing, correct response to the test-line offering or requesting cheap goods, no questions asked, careful but not secret conducting of business, and lower prices to friends or relatives. If any of these rules were contravened the action was stopped. As in play, the cheat in this case the hustler, who appeared to follow the rules at least for the duration of the action, was tolerated. The "straight"

however, was not and his presence brought a premature end to interaction.

As in play the action was of the nature of a project. It began with the prior informal discussion which took place in the legitimate context of the work place, or home (See Ch. 5 pp.176-178). It had a middle concerned with negotiations about the deal and the transaction itself. It ended with the celebration following the pay-off which often took the form of buying drinks or giving away cigarettes. It may well be that the existence of these ceremonies of entrance, as in play, account for how it is that otherwise unmixing status groups are found to shed their status differences for the duration of the amateur trade, and engage with others on an equal footing for the purchase of stolen goods. Indeed, such are the transformational rules that all buyers are limited to a limited amount of purchases. More money, status or influence in the wider social context would not mean any monopoly on purchasing the dealers wares. Finally, like the case of play, uncertainty prevails. From the outset, it is uncertain whether the cheap goods will be available at all. As Lucy commented, "It always makes me laugh, they will never say they'll get it for you. Always I'll see what I can do or I'll have to see a chap first." Even when the goods are for sale, the uncertainty is in the limited number for sale, or in the price asked for the items. When purchase is made the uncertainty is maintained in not knowing whether the police will find out and so whether or not the participants will get away with the deal. As Margaret said, "You never know who's going to come knocking on your door wanting to have a look round."

Overall, it appears that at least three kinds of competitive play are going on in the amateur trade. In one of these, all members in a sense are playing against the possibility of getting caught. They are aware that they are engaged in "dodgy" activity, indeed, in handling stolen property, and that at any stage they could be caught. To purchase cheap goods successfully, to bring off a deal, is to have defeated the law and its supporters, who attempt to stop them. Another kind of play was that in which to complete a deal was to beat the system, to gain control of their own action without this being organized for them. They arranged sales outlets and purchasing occasions for themselves in places out of the normal place for such activity. In both these kinds of play, the game was similar to those in which the player, for example, in pontoon plays the bank or the house. A third manifestation of game play was that where men members competed with each other. This was of two kinds depending whether the member is dealing or receiving. Among dealers, competition occurred for status among the receivers in the sense of who put himself out most, who gave most away, and who was the most generous with his friends. (See next section) For example, Michael proclaimed he could get almost anything that was wanted, given time. In doing so he demonstrated, both a vast hinterland of social relationships, of people in the know, and that he was prepared to put himself out and his contacts in order to help the buyer. Most dealers bragged about the value of the goods they gave away. Among receivers, competition was for the favour of the amateur dealer. To be selected of being worthy of being given an opportunity to buy was one thing. To be given goods while others had to pay, was quite another (The formation of social

relations through the amateur trade will be elaborated further in the last section).

(iv) The Alienation of the Concept of Play

While commentators have correctly observed that play, and the experience obtained from it, is different from that of ordinary life, they have misunderstood and misrepresented its social significance. It is true that the fundamental feature of play is its non-materialistic quality. But, in equating a concern for material satisfaction with real life, Huizinga, Caillois and to a lesser extent Goffman and Zurcher falsely assume that ordinary life is real or normal life. This eventually leads Huizinga (1938, pp.66, 198) to the uncomfortable position of seeing culture and civilization as "arising in and never leaving play", while at the same time seeing man only occasionally engaging in play. The conclusion of Huizinga's stance should be admitted, namely that as such, we are only occasionally cultured, only occasionally civilized. For Caillois (1961) the issue is simpler. Not sharing Huizinga's conviction of the relation between civilization and play, he rejects that it has any utility value. Thus (ibid., pp.5-6) he says,

Play creates no wealth or goods...nothing has been harvested or manufactured, no masterpiece has been created, no capital accrued. Play is an occasion of pure waste: waste of time, energy, ingenuity, skill, and often money...

The point however, is not that the creation of material wealth cannot be part of play but that should it be so, it is not basic but incidental to the play activity. Unfortunately, such is the relation with material wealth in our society, that any activity creating it, though it may start off as play, rapidly deteriorates to the economic concern,

While I accept then, that play is a separate activity different from ordinary life, I reject the tradition of commentary that sees it as a "stepping out of real life". Commentators of this tradition only see play as unreal because it is divorced from the economic and material concerns that they hold as essential and primordially consequential for life. Instead, I hold that these concerns are unnatural and alienated. Rather, I hold that the essential concern for life is man's fulfilment through activity with his fellow men. If this perspective is adhered to, then, by engaging in play, man is not stepping out of real life, but stepping into it. He is experiencing, albeit temporarily, liberation from his alienated condition. In his short bursts of humanity in play, he experiences totally engaging fulfilling creative activity; a deep sense of personal involvement in group activity, in sharing, establishing and maintaining personally relevant group structure. In addition, his participation in this action allows the realization of his humanity in ways denied by his ordinary life.

The activity of play allows for what Goffman has described as a sanctioned display of personal qualities both to self and others. Thus it allows the player to test himself, to test his prowess, his courage, tenacity, use of resources and fairness, against his own yardstick. He wants to strive to decide an issue and so to end it. He wants something to come off and if it does he will have succeeded by his own exertions. He may lose in his endeavour, but he will not lose in action for he can show individual skills, strength, dexterity, knowledge, intelligence and self control. Moreover, he can show his individual superiority over others, and the superiority of his group over other groups. Finally, he can

gain honour prestige and status for himself and his group.

In short then, the action of play and more specifically participation in the amateur trade are experienced as a socially enjoyable and pleasurable activity. In so far as this is the case, it constitutes part of the meaning context favourable to the projection of further participation in the amateur trade.

(E) Social Relationships Through Gift Exchange.

The amateur trade is play and what the members are playing is the giving of gifts. In this final section, I examine the amateur trade in stolen goods as an example of gift exchange, and argue that for those experienced in the trade, further participation is a means to the formation of a non-alienated system of social relations.

Gift exchange has a considerable heritage in the anthropological documentation of non-industrial societies (Mauss, 1954; Malinowski, 1922, 1959; Levi-Strauss, 1969; Firth, 1951). From this literature, it is possible to identify two characteristic criteria which are fundamental to any discussion of the subject. These are the degree of obligation created by the exchange and the nature of the interest of parties to the exchange. When applied to empirical forms of gift giving, these criteria yield three basic types: (1) complementary gift exchange which is obligatory and self interested; (2) reciprocal gift exchange which is normative, and may be either self or socially interested; and (3) altruistic gift exchange which is spontaneous and disinterested. Typically, industrial society is characterized as being dominated by the complementary type, whereas non-industrial society is characterized as being dominated by the reciprocal kind. While it is no new exercise to make comparative reference to the existence of the reciprocal type of gift

exchange as existing in industrial society (Mauss, 1954; Simmel, 1950; Levi-Strauss, 1969; Schwartz, 1967; Tönnies, 1955), recently attempts have been made (Shurmer, 1972; Davis, 1972, 1973; Titmus, 1973) to emphasize the significance of the non-industrial type to our own society. However, it is my argument that these attempts fail in their endeavour. They fail because their authors do not recognize that the type of exchange does not depend upon societal differences, but on the difference between alienated and non-alienated interaction. Both forms of interaction are present in both kinds of society. In misunderstanding this, these authors select for comparison patterns of gift exchange from different societies but from the same patterns of interaction: those occurring in an alienated context. It is not surprising therefore that Mauss (1954, p.1) found that, "in theory" such gifts are voluntary disinterested and spontaneous but in fact are obligatory and interested." Here I argue that if we are to attempt to assess the significance of reciprocal gift exchange in either industrial or non-industrial society, we must examine its occurrence in non-alienated as well as in alienated conditions. I maintain that such an occurrence in industrial society is to be found in the activity of the amateur trade. Moreover, in so far as such exchange is experienced as spontaneous and socially interested, it represents an attempt by members of the society to shun the alienated conditions dominant in the societal structure, and to reconstruct their own social structure based on natural, socially interested reciprocal relationships. In as far as they experience and choose to operate the amateur trade in this way, then reciprocal and altruistic gift exchange constitutes part of the meaning context favourable to reconstructing the project, to further engage in

that activity.

(i) The Notion of Gift Exchange

In the briefest examination of literature on gift exchange one will encounter references to "obligation". It is held by some (Mauss, 1954; Levi-Strauss, 1969; Homans, 1958) that all gifts set up a debt relationship and demand reciprocation. In other words, all are in some sense obligatory. As Titmus (1973, pp. 83, 237) says, from these writings, "there emerges a vivid sense of the immense pervasiveness of the social obligation - the group compulsions - to give and to repay, and the strength of the supporting sanctions... to give is to receive - to compel some return or create some obligation..." Others however, (Simmel, 1950; Tönnies, 1955; Muir and Weinstein, 1962) argue that gift exchanges can occur spontaneously, voluntarily, in an atmosphere of "freedom without duty". It is clear therefore that a range of obligation occurs which is perhaps conceptualized best if represented at three levels: (1) legally punishable contractual obligation; (2) morally penalizable reciprocal obligations; and (3) freedom from any obligation.

A second characteristic very evident in the literature is that of interest. Some, particularly exchange theorists (Homans, 1961) argue that all exchanges are "more or less interested". In contrast, others (Simmel, 1950; Tönnies, 1934; Titmus, 1973) argue that certain kinds of exchange occur altruistically, disinterestedly, or in a "pure" form in the early Malinowskian (1922) sense of the term. As with obligation, it is perhaps more representative to say that a range of interest is evident which can be seen to be occurring at three levels : (1) self-interest, which may be economic or

psychological; (2) social interest; (3) altruistic or no interest.

Thus grounding these criteria of classification in their empirical forms, three typically occurring types of gift exchange can be identified. The first of these is self-interested obligatory and has been described by Gouldner (1960 p.169) in a clarifying statement as "complementary gift exchange". It refers to the interlocking status duties which people owe one another where one person's rights are another's duties and vice versa. Thus Gouldner (ibid., p.170) says in this type of gift relationship, "specific and complementary duties are owed by role partners to one another by virtue of the standardized roles they play. These may require an almost unconditional compliance in that they are incumbent on all those in a given status by virtue of its occupancy." The complementary type of gift exchange is economically self interested in so far as it is in the interests of those benefiting from the status quo to maintain the system of social relations and relative statuses unchanged. In short, it is in the interests of patrons to retain the patronage of their clients. Furthermore, in this type of exchange the value and type of gifts given should be consonant with, and reflect, the status relations of the parties to the exchange. In Western industrial society the status rights and duties of this type of exchange are often carefully defined in terms of debtor and creditor roles and the relations between them sanctioned by law.

The second type of gift exchange is reciprocal. Gouldner (ibid., p.169) distinguishes reciprocity in gift giving from complementarity, saying that in reciprocity, "each party has rights and duties". He accuses Malinowski of

confusing the concrete status rights and duties of complementarity with the morally expected rights and duties of reciprocity, and by way of clarification, describes (ibid., p.170) relations under this type of exchange as being governed by the norm of reciprocity". Under this norm when one party gives to another a moral obligation is generated. The recipient is indebted to the donor and remains so until he repays or returns the gift. The obligation to repay is morally enforced, failure to give and repay being sanctioned by dishonour, shame and guilt. It is in this sense and only in this sense that the counter gift is a "compulsory" act. Its normative power is held to be such however, that some (Homans, 1960; Malinowski, 1959, pp.58-59) argue that men are more constrained by it than by separate institutions of social control.

That reciprocal exchange features the return of a gift made in respect of past action, implies a passing of time. The notion of time itself implies a notion of credit and trust. As Davis, (1973, p.164) expresses it, "the slow difficult gradual approach to a matching of benefits, with its attendant intervals of imbalance and trust, is a primary characteristic of reciprocity". A norm of imbalance or "balance of debt" is held to govern the reciprocation of gifts. Thus Homans, Simmel and Malinowski all argue that the amount of return should roughly, but not exactly, equal the amount which is given. Too little returned is taken to be both insulting to the recipient and demeaning to the donor; while too much returned may not only embarrass the recipient but place him in the patronage debt of the donor, and so changing the nature of the relationship to complementary rather than reciprocal. Most importantly, not reciprocating at all is in Mauss's (1954,

p.11) "the equivalent of a declaration of war; it is a refusal of friendship and intercourse". Indeed the explanation given as to why gifts in reciprocal exchanges should never be equal is that such a state of affairs would be a perfect level of "distributive justice", an exact matching of rewards less costs and investments, which would reflect not a social but material or economic exchange relationship. Moreover, equality of returns could leave no balance of debt, therefore representing distrust and providing no token reason for continuing the relationship, but in fact one of ending it. Thus as Schwartz (1973, p.184) says, "There exists a band between complete and incomplete or inadequate reciprocity - within which the giver of the return gift must locate its value".

That the nature of the reciprocal exchange is inferred by the participants to express so much meaning with respect to the relationship between them, is an open declaration of its availability for exploitation in terms of members' interests. Perhaps unsurprisingly then reciprocal exchange is manifest in terms of economic or psychological self interest and social interest. Economic self interested reciprocal exchange is that where the purpose of participation is to achieve some material gain either immediately or in the future. Thus Bailey (1969) sees reciprocity among Swat Pathan operating in terms of the market rationale principle in which entrepreneurial man manipulates claims and creates liabilities in a calculating manner in order to maximize economic rewards less costs. Psychological self interested reciprocal exchange involves those engagements in gift exchange which are intended to bring benefits of power, prestige, status, honour, approval, superiority or which save face and degradation. Thus Levi-Strauss (1965, p.76) has argued that, "goods are not only

economic commodities but vehicals and instruments of another order: influence, power, sympathy, status, emotion; and the skilful game of exchange consists of a complex totality of moves, conscious or unconscious, in order to gain security and to fortify oneself against the risks incurred through alliances and rivalries". In other words, in giving in order to obtain these benefits, the participants to reciprocal exchange are applying the market rationale principle to the sphere of psychological gratification, often at the expense of the material aspect of the gift exchange. The classic example of this form of exchange is the event of the "potlatch" occurring among many different non-industrial societies but particularly among the North American Kwakiutl Indians. (Codere, 1950; Benedict, 1934) Any claim to a new status, such as a birth death or a marriage etc., had to be validated and maintained through the giving of a potlatch. This comprised the giving of an enormous feast with much pomp and ceremony, in which the donor or person seeking the status confirmation gave away or destroyed property showing that he was able to do without it. Often he challenged a competitor who was obligated to give a return potlatch at which they should attempt to match the waste. As Davis points out (1973, p.165) competition within this form of reciprocal exchange is distinct from the agnostic competition in market exchanges in that the "person competed with is not a party to the exchange: you exchange with third parties and not with your competitor; but what you maximize is the difference between your reward and his, providing you are in the ascendant".

Commentators who challenge the usefulness or even the applicability of the market rationale principle to gift

exchange, argue that reciprocal exchange is socially rather than self interested. Thus Davis (*ibid.*, p. 162) says that because prestige, esteem, usually accompany the successful pursuit of profit this need not mean that the man who claims to deny profit is pursuing these other gratifications instead. He says (*ibid.*, p. 164), "profit is not the only relationship between things, and that there are actually existing cases where people maximize relations other than profit." Socially interested reciprocal exchange, then, has as its purpose the serving of friendly relationships, affection and harmony between groups and most importantly a suppression of self interest for the sake of participation in interaction for its own sake, in the Huizinga sense. Any material benefit from the interaction of gift giving is of secondary importance to the participation, and is only as significant to the members as is the fact of winning in game play.

The third type of gift exchange is the "pure" form in which gifts are altruistically, spontaneously and generously given with no obligation being placed on the receiver to repay. As Davis (1973, p. 165) says in such exchanges the rule is that a person should maximize his partner's reward. Despite Mauss's (1954, p.1) proclamation that such a state of affairs exists only in theory, as we shall see, the empirical evidence supports the existence of this kind of gift exchange, which shares with Simmel's (1950, p.392) first given gift, "a voluntary character" which is "full of freedom without duty even without duty of gratitude".

While it would be plausible to expect a representation of each of these three basic types of gift exchange (i.e. complementary, reciprocal, altruistic) in any society or

social organization, commentators have traditionally associated certain of them as being characteristic of particular kinds of society. Simply put, non-industrial societies are seen as dominated by reciprocal exchange, while industrial societies are seen as dominated by complementary forms of exchange. As Titmus says (1973, p. 238):

Anthropologists have sought to show that exchanges in primitive societies consist not so much in economic transactions as in reciprocal gifts, that these reciprocal gifts have a far more important function in these societies than in our own, and that this primitive form of exchange is not merely not essentially of an economic nature but is what Mauss called a 'total social fact', that is an event which has significance that is at once social and religious, magic and economic, utilitarian and sentimental, jural and moral.

In contrast, industrial societies are seen as having economic or complementary mode of exchange dominant, in which returns are both obligatory and immediate, economic and self interested. Comparison between the two kinds of society in terms of their dominant forms of their exchange is not new. Thus Veblen (1934, p.75) noted "conspicuous waste" among those of middle and upper classes in Western consumer society which he compared to the potlatch competition of Kwakwaka'wakw Indians. Similar comparisons have been drawn by others (Levi-Strauss, 1969; Mauss, 1954; Schwartz, 1973; Titmus, 1973) between non-industrial reciprocal exchange and the giving of presents and Christmas cards, the payment of Social Security, and the donation of blood. The general conclusion of these studies, however, is that the amount and importance of such exchange in our society is relatively insignificant. As Strauss (1969) says, the proportion of goods transferred according to the gift exchange modalities of primitive societies is very small in comparison with those involved in commerce or merchandising. He says (*ibid.*, p. 61), "Reciprocal gifts are diverting survivals which engage the curiosity of the antiquarian ..."

Recently however, some anthropologists have attempted to show that the significance of reciprocal exchange to industrial society has been underestimated. Shurmer (1972, p.1242) notes that the characteristics of reciprocity apply "as much to our society as to New Guinea kula exchanges or Indian potlatches". She discusses the giving and returning of coffee mornings, presents, drinks and consumption of consumer goods generally in terms of reciprocal gift exchange, and concludes (ibid., p. 1244) that the reason all exchanges are not of a self interested kind which if broken are withdrawn, is that there are, "spheres of exchange", some categories of goods being set aside and being seen in non-monetary terms. Davis (1972) develops this argument further. He criticizes the approach which compares total economic systems, saying that we should not talk of one mode of transaction predominating over all others. Instead he argues (ibid., p.409) that, "the difference between the U.K. whole economy and such economies as the Hausa and Siane are not so much in the 'amount of reciprocity' but in the relation of the various sub-systems." He develops (ibid., p.408) the notion of the "Gift Economy" which he says exists in the context of commercial exchange, can be studied from market information and records, and which "is governed by rules of reciprocity, and includes all those transactions which we call giving a present, making a gift and so on". (Particularly interesting is his later (1973) development of this work in which the activity of party selling is seen in the gift exchange context). From his calculations, based largely on manufacturers' production figures and marketing information he arrives at an estimation (1972, p.412) of the "integrative force" of gift giving in the United Kingdom as being 4.3% of all consumer expenditure.

While he maintains this underestimates the flow of goods from the market sub-economy, he says, (ibid.,p.421),

If we were able to measure more accurately, we might find that there is not much difference between Britain and some primitive societies in the proportion of goods circulating in reciprocal exchanges.

Despite its imaginative flair, in my view, Davis's attempt at assessing the significance of reciprocal exchange in an industrial economy fail, as do the attempts of his predecessors. They fail however, not because of inaccuracies of calculation, but because they do not recognize a crucial connection: that the type of exchange that occurs in a society is not dependent upon whether or not it is industrial, or the relation between the sub-systems, but upon the pervasiveness of alienated interaction.²⁹ As we saw earlier in the chapter, alienation is that condition in which man loses sense of his own authorship of the world, loses control over his own actions and of his relations with other men interacting with them only through the medium of objects or idols. Indeed, it is a common fallacy to assume that such a condition is characteristic only of industrial but not non-industrial society. Alienation occurs in all exchange situations in both non-industrial as well as industrial societies. It occurs when those involved in the exchange are not freely engaged, consciously aware and spontaneously and actively involved in giving for its own sake for the activity surrounding and comprising giving. Moreover, it occurs just as much in the highly ritualized kula exchanges of Melanania as it does in the traditional gift exchanges of Western Christmas. The fundamental difference between gift exchanges is not whether they are industrial or non-industrial, or whether they are commercial or gift, but whether self interest reigns supreme

over concern for the action; in Simmel's (1950, pp.40-55) words "whether a self interested concern for content dominates that of form; in short whether the exchange occurs out of a concern for the relational activity itself or is moved by a desire for the products of it. "

The distinction I have made here is similar to that made by Simmel (1950, p.411) between the economic exchange occurring in the industrial metropolis where concern is for "means of exchange" and that occurring in rural commerce where depth and quality of reciprocity are foremost in the minds of exchange partners. It is perhaps even more akin to the distinction made by Tönnies (1955, pp.20-21) between the "fellowship type" of exchange found in community orientated societies that are essentially mutual, dependent on an equivalence of knowledge and volition of performance, and the associational relationships in individually orientated societies which are organized on the principle "do ut des" (I give so that you will give) . The latter said Tönnies, "often had as its purpose a desire for status, power material gain." The problem with both these distinctions is that they are bound again to societal types and fail to emphasize that the distinction reflects a behavioural rather than a societal or cultural difference, and as a result these commentators did not see the occurrence of both types in both types of society.

In my view therefore, the distinction between exchange types should revolve around whether or not interaction is alienated. Thus we should distinguish between the exchange appropriate to the alienated condition, which is complementary and self-interested reciprocal exchange and exchange appropriate to the non-alienated condition; which is socially interested,

reciprocal and altruistic. With this distinction in mind, it becomes clear that virtually all previous comparisons between so called different characteristic systems of exchange have been made on the same level of analysis, between the same kind of activity: that occurring in an alienated context. Thus when Veblen (1934, pp. 75, 83-84) compares "conspicuous consumption", Schwartz (1973, p.177) compares charitable gifts and Levi-Strauss (1965, p.77) compares the giving of Christmas cards, to the attempts to gain prestige in gift competition among Kwakwaka'wakw Indians, they do a double injustice. In the first place, they impute a self interested psychological motive to those non-industrial members of potlatching who may enjoy the activity of potlatch for its own sake. For example, Curtis (1915, p.413) argues that, "property distributed at a potlatch is freely given, bears no interest, cannot be collected on demand, and need not be repaid at all if the one who received it does not wish to requite the gift." Neither is the occasion concerned with economic or material self interest, Barnett (1964, p.523) has argued that the sums given to guests on such occasions are not loans as others have argued (Codere, 1950; Boas, 1897). Barnett says:

...the institution of the loan with interest, quite comparable with our own, flourished among the Kwakwaka'wakw and is known, at least to some Salish, Haida, Tsimshian. The significant fact is that lending and repayment form no part of the potlatch distribution. They are preliminary to it and are engaged in for the purpose of accumulating the amounts necessary for the distribution.
(My emphasis)

Secondly, they fail to account for all those persons who give presents at Christmas or at other times, who do so of their own volition without concern for self interest. In short then the comparisons are made between badly selected sets of the same kind of alienated activity.

The reified treatment by writers in making these comparisons is made evident, for example, when Shurmer (1972, p.1244) says that there are spheres of exchange in which "some categories of goods are set aside and seen in non-monetary terms". The point is not that the nature of the exchange is dependent upon categories of goods, but on how activity involving goods, any goods, is handled.

Ironically, arguably the most imaginative application of the gift exchange analogy to aspects of Western industrial society evinces the epitomy of the objectification of social relations in the alienated condition. Davis (1973, p.170) despite his admitted lack of ethnography, insightfully assess why party selling, such as Tupperware, is being used by companies in order to sell their merchandise: He says that parties are first of all episodes in the ebb and flow of obligation and trust between acquaintances, friends and kin. He describes them as, "concentrated nodes of sociability" including reciprocation as well as having the best time at another's expense; and performance of duty by the guest or the host. Secondly he sees parties as being artificial and ends in themselves comprising a play form of association in which content, purpose, and function are concealed. In short he sees parties as existing on the surface at least, for their own sake and without justifiable reasons. He continues (ibid.):

Most of the women who go to selling parties - and they are just more than half of all housewives - live on municipal housing estates and have young children; occasions for formal sociability among women are not part of the culture... Parties are commonest in those areas where there are few opportunities for women to work: with young children, without jobs, without the middle-class traditions of coffee mornings, local history groups and political clubs, they are isolated in their houses. I have been told that companies frequently receive letters in which the writer says she has moved to a new neighbourhood or a new town, and knows no one: could the agent please call?

It is unfortunate that Davis has not studied the ethnography of the Tupperware party so as to tell us how far his conjectured assessment of its form is met by the empirical situation. While I suspect that his analysis might be correct in its assessment of parties, I maintain that it is inappropriate to party selling. What is crucial here is that the selling party, as opposed to the social party, is organized by the agent for the company, ultimately for commercial reasons. The sociability of game-play at a selling party is not spontaneously created by the participants but organized in advance by the agent "host" and by the "Tupperware handbook for agents" : (Davis, 1973, p. 169)

They play games to produce the party mood: One handbook for agents suggests that ten minutes should be passed in this way. For example, at a party where the theme of the demonstration was to be the utensils needed to make cakes, the guests competed to write down as many names of cakes as they could. 'Make sure the guests know what the prizes are' says the handbook ' and how to use them and let every guest win a prize' ". But the purpose of such conviviality in play is not the play itself, but the selling of goods for Tupperware. Similarly, the sociability of the occasion may well be a reason for members' or participants' involvement. But it is not the main reason. For married "housewives" with children, or "divorced mothers" the employment opportunities are very limited; limited indeed, to part-time home-work. One of the more enjoyable forms of this work, which pays far better than most home-jobs or part-time jobs, is an agent for companies at selling parties. Moreover, unlike other forms of part-time "womens'work" it has promotion prospects. Thus Davis (ibid., p.168) tells us that a part-time agent attending

no more than three parties a week earns between £15 and £25 per week (1973 values) and can be promoted to an agent-manager to earn a salary between £3,000-£8,000 per year, while some are made up to distributors earning £10-15,000 a year. Finally, unlike social parties, 'guests' to selling parties do not meet each other on equal terms despite their generic classification as "housewives". Rather they meet under the structured uncompromisable relations of agent and client. In short, what greater evidence of objectified social relations is required than that where a basic form of sociability such as parties, is penetrated by firms endeavouring to sell goods? What could depict greater, the state of alienation than forming new social relations through the medium of a company's sales technique? What could be more insincere as an act of sociability when a person is invited to a party which she knows the host is holding for the purpose of earning money? In the final analysis, like all his predecessors' attempts, Davis's party selling is none other than an example of gift exchange in the alienated condition. It is unfortunate that Davis comes so near yet remains so far from doing what his fellow commentators fail to do: examine the occurrence and assess the significance of reciprocal gift exchange in a non-alienated as well as an alienated condition.

Like party selling, the amateur trade in stolen goods is an example of reciprocal gift exchange in which goods are both sold and given away in a sociable atmosphere. Unlike party selling, the amateur trade is organized spontaneously and controlled exclusively by the participants to the exchange, for purposes no more than the mutual social benefit of those involved. The amateur trade in stolen goods

is an example of reciprocal gift exchange in the non-alienated condition.

(ii) The Amateur Trade as Reciprocal Gift Exchange

As one might expect, the amateur trade shows evidence of the variety of forms of exchange. Thus we find examples of obligatory complementary exchange:

See the bloke who owned the shop, Sid had agreed to take whatever they brought. See he'd chatted them up earlier on. He'd said, "Can I buy stuff from you rather than the company". A month later they showed up with a load of Salmon that he didn't particularly want but he had to have it.
(Steve)

and examples of altruistic exchange:

Tony did it to help friends. He gave me that stuff to sell. He didn't say give me this amount of money for this amount of stuff. He just gave it to me and if I sold a hundred pounds worth I just gave him sixty six and he didn't even bother to check it. He didn't say, "There's a hundred quids worth of stuff. Work out how much it is and give me two thirds back". He made nothing out of it. What he didn't give to me he shared out among his salesmen. He wasn't interested in the money. He did it to help me out because he knew I was emigrating to Spain. But Tony's that kind of a person. He would go into a pub and buy two drinks to everyone else's one. He's that kind of person; he has to give more than he takes.
(Maurice)

By far the most commonly occurring forms of exchange, however, were found to be reciprocal exchanges, in which the sale of cheap goods was seen as a "favour" given to the lay receiver by the amateur dealer. Members alternated between dealing and receiving and so respectively reciprocated the gift giving process.

Generally as we saw in chapter 5, persons holding different relationships were treated differently in terms of the gift of favour given. As we saw earlier, those persons judged to share different assumptions about life, who were seen as straights or "honest" were not offered the opportunity to buy and therefore not allowed to enter the cycle of exchange relationships:

There was another character who they wouldn't even dream of approaching. He was a very upright little man.... He was so honest he wouldn't dream of doing anything dishonest.. If anything dodgy was going on they wouldn't let that bloke in on it.

(Steve)

Others were charged different amounts relative to the cost-price to the dealer, depending upon whether they were judged to be an acquaintance, friend or relative:

Where you don't have, though you've got a relationship, you're not a friend... you can charge them. See it's only when you sell to friends that you can't charge them extra.

(Michael)

Suppose there's a very good customer that comes in say every week and you might get to know him ever so well. You know he might make a cup of tea now and again when he comes in...so you kind of chip him in on the same block, and he would get his little bit.

(Michael)

If I offer you a television for sixty pounds right, you're a mate sitting in the office. Lets suppose we've known each other a very long time and we're good buddies. You know what I mean? We go for a drink together do lots of things together. I'm not going to put fifteen pounds on to you. I'm going to let you have it for what I'm paying for it.

(Paul)

There again Freddie never charges the family any extra. They get it at the price he paid for it. So he's doing it for nothing most of the time.

(Steve)

Thus the price charged to the receiver of the cheap goods in the amateur trade (or indeed, whether he can buy goods at all) is dependent upon the nature of his relations with the dealer. It is more importantly indicative of the state of those relations and is "weighted" in such a way that the strength of the relationship is reflected.

Should a person who is seen as holding a particular status relative to the dealer be given a weighting which in his eyes overstates their relationship, then the person granted the gift may feel indebted to the giver, and obligated to make a return payment. In one case I found

exactly this arrangement, with a person typed as "honest", being given the opportunity to buy when she was only vaguely associated with the dealer. The result was that she felt she had to repay the debt by offering to sell his goods for him:

He wasn't doing it directly to me. He was giving it to Mrs. Andrews and all her relatives. I was just mucking in by going round there. But I wasn't originally accepted into the circle. I was nobody to him. I couldn't ask outright for them. The only way I could have them was to offer to get rid of them for him. I thought by doing him a favour he was doing me a favour. I had to return the favour some how. I thought that was good craft didn't you?
(Lucy)

The woman in this example also illustrates the case of engaging in reciprocal gift exchange for the purpose material self interest:

He didn't ask me to sell it. Not at first. I asked him. That was the only way I could get in on it really. See I went into Mrs. Andrews one day and saw all these things. I said, "Ooh that's nice". She said, "Yes Harry got them for me". When I'd seen them I wanted to get my own things but he wasn't doing it directly to me.
(Lucy)

Reciprocal gift (favour) exchange was also found to occur in a psychologically self interested form where it involved "bragging", and "boasting" for status:

There's a lot of boasting goes on around it, and its all surrounded by jokes. Everything they do is very light hearted. Jim'll knock at the door and say I've been doing a bit of 'stock taking' you know big jokes lots of puns. Its never a serious business. He's always telling stories about himself and the deals he's made. He'll boast about them. To him it's something to brag about. There's no point in doing it if you can't tell people about it.
(Steve)

In the amateur trade there is an interesting occurrence of the kind of psychologically self interested reciprocal exchange found in the potlatch, of non-industrial society. This was particularly evident to me in the periods of participant observation both as a driver/storeman for the wine and spirits company and as a retail sales assistant in

the stationers. In both these situations, there was an Assistant Manager who competed with the Manager for favour of the workers by giving away the Company's stock, or in the case of the stationers arranging numerous on-the-side deals and then challenging the manager to do the same. Invariably the Assistant Manager gained the favour, honour and intimacies of the staff since the Manager could only compete on a legitimate, "what the firm can afford" level, while the Assistant was able to compete on an illegitimate "sod the firm" kind of level. This competition for psychological gratification by giving favours and cheap goods to the staff who were third parties in the competition, can be explained as an attempt by the Assistant to reclaim in the eyes of the workers the status lost as a result of ultimately having to take orders from someone who was being paid more highly who at least on the surface did less work, and who was usually acknowledged as being of higher status. The following illustration comes from the wine and spirits situation:

Assistant Manager: "Do you smoke? You don't smoke do you?"

Stu: (I realized at that point he was offering me something)
"Well yes I do. I don't smoke cigarettes but I smoke those small cigars"

Assistant Manager: "Which do you like, Benson and Hedges or Manikin?"

Stu: "Well I like Manikin but are you...."

(He pulls out two packs of Manikin)

Assistant Manager: "Here stick these in your pocket but don't let him see 'em. Don't put 'em in that outside pocket. If he asks you where you got them you can tell him you got 'em from me."

Stu: "That's very good of you".

Assistant Manager: "Oh you better have it 'cause he won't

give it to you. You won't get nothing out of him. He won't give you nothing. You've seen how he treats me. We're always arguing. He's a right cunt and I've told him so. I get twenty one quid a week and I have to put up with that bastard on four thousand a year, and he does nothing for it. I do all the bloody work in here. I've written to Head Office about him".

Despite the occurrence of these forms of reciprocal gift exchange, by far the most evident was the socially interested type. This was often manifest in those exchanges where the lay receiver initiates the action by making a request of the dealer to 'see if he can get' a particular item. The dealer then 'does the receiver a favour' in getting him the goods. In contrast there are those situations where the relationship is reversed; where the dealer has goods to sell and the receiver buys to 'help him out', so doing the dealer a favour. Thus there exist the conditions for an exchange of favours between dealer and receivers:

It's not so much selling it. I mean it's not that he's knocking door to door and flogging things. But if you need a service or something, an item, and you're not too fussy about where it's coming from, you don't wanna pay too much George is the bloke you go and see.
(Derek)

I did it cause the guy needed the wings. No he didn't ask for any wings. He just said he wanted some wings. He was going to go and buy them down at Auto Spares and I said, "Well can I get them for you?"... He wasn't bothered how he got them he just wanted them..
(Michael)

I've been asked if I wanted to buy radio's cheap before. I said, "Oh we'll have a radio". You know but I didn't really want it. But I had it just to be helpful, to be good to a mate you know.
(Dick)

He wouldn't want to refuse purchases because they're good friends, so he's helping him out by buying the stuff.
(Steve)

Dealers talk of both buying and selling in terms of favours:

On this paint thing I was selling it for exactly the same price I was getting it. I wasn't making anything on it. I was doing it as a favour for everybody round the works.
(Roy)

If you wanted building materials I'd put you on to a guy who'll get you them. You just give him your order and he'll deliver to your door. But I wouldn't expect anything for it. You're kind of doing somebody a favour.
(Michael)

I never think of the money or how much I can make. I never do. If I can do somebody a favour. It's a bit of good fortune that's all your passing over.
(Paul)

So you think to yourself, alright I'll do this guy a favour. He's got a load of it. He can't move it. I'll take some off of his hands.
(Paul)

People who do make money out of such deals or show self, rather than social, interest are seen as different kinds of people, who don't even respect the rule of weighting exchanges:

You've got to be a particular breed to make money out of it. There's a lot of people who do it just for a little bit of excitement, but they don't do it to make piles of money, and I don't honestly think many people make piles of money out of it. Those who do probably put some on for their friends and even their friend's friend probably sold it to a relative for a bit more!
(Paul)

Such people are not highly thought of by amateur dealers and relations with them will be cut off:

What happened was when this guy knocked on the door and said to me, I've got it, I expected to see a small Ford Transit; Outside was a fifteen ton lorry just crammed full of them. So I said to this chap, "What am I supposed to do with them?" and he said, "Can you get rid of any?" So I spent all afternoon and evening and I got rid of everyone.... Two days later these 'mates' came in, and we got chatting and something happened and they turned round and one of the guys said, "I worked it out that I made a hundred and fifty and got my colour set and stereo for nothing. I said, "How come"... I'd got rid of them all made nothing and even paid for my colour set. They'd been selling to their friends for double the price...

These two people by the way used to be friends. Used to be ...

Supposen it was you, "here Stu, do you want a colour set for sixty pound?" "Yes please I'd love one". You give me

the £60 you get your television. That's O.K. Fine, all you think of is "Oh that was alright he did me a favour." But supposen I'd sold it to you for a hundred pounds and supposen one night you were having drinks with me and somebody else was there, and it slipped out that I sold you one for a hundred and this bloke one for eighty. You're not going to think much of me. You're going to think "Nice bloke, but...."
(Paul)

That reciprocal exchange among dealers and receivers is socially interested rather than self interested is made explicit by those involved:

You don't think "Oh I need something say a new carpet, right I'll nick something from work and flog it and make some money, then I can buy the carpet. You don't think about it that way. You don't think about your carpet in the first place. You didn't even know you wanted a carpet in the first place. You just think to yourself, "Oh I know someone who wants something like that, I can get them that and you sell it to them. Why I do it is well somebody wants it and I can supply it so I get it and that's all there is to it. They want it I've got it and they can have it...
(Stan)

The following member summed up the spirit of the reciprocal exchange admirably

He's not actually ever making anything. He doesn't get much out of it. He gets favours in return as much as anything. See there's a strong community thing here. It's not a business deal as such. It's a sort of a community action group, but they wouldn't understand it in those terms. They just do it. They say well "I'll do that for you", or "My brother'll get that for you, this sort of thing... You see there's those in the community and those outside of it. If you're in the community you're prepared to give as much as you can. I mean everybody's giving quite a lot... It works very well. It helps the people a lot.

Question: Is what they do contingent on the knowledge of future return?

Oh no there's not that feeling at all. I mean I've never known it to happen that nobody'll do anything, not from someone who's already in the community, you know really in. It's just accepted. There's no question or doubt whatever. If I go and see old so and so and ask him a favour he'll do it for me. And if he came to me perhaps wanting something then I'd try and get it, and the same with any of us here... If you are capable of the job then go and do it. And it pays dividends not personally but for everyone generally. If you go to a bloke who's done you a favour and say "I did this for you now you do this for me" which wouldn't happen normally, he'd do it, but that isn't the reason. He'll do it because you're somebody that'll do jobs for anybody.
(Derek)

This member also pointed out the consequences of a failure to reciprocate. Unlike the Maussian interpretation of reciprocity the relationship does not breakdown immediately a return is not made. The process is rather as Muir and Weinstein (1962, p. 537) found among the lower class respondents of their study, who were, "unlikely to cut off social credit" if obligations went unpaid. However, a modification of the relationship would occur if this persisted over a period:

The opportunity will arise when, if you want to you can do something and nobody will think any the less of you if you don't. Not normally. It may be that you're offered something and you don't want it. Nobody will mind provided you've a reason. It might be that you're a bit short of the ready that week and can't afford it. They'll accept that. But if it happens again that I come up with an excuse for not doing something, they'll begin to think you know alright he's a nice enough bloke but he's not really one of us, because they wouldn't do that. They would drop everything and do it. If it was buying they'd buy even if it meant borrowing the money and owing the guy. See normally it's not very much they're asking and usually they don't even ask, you just volunteer it.
(Derek)

From this evidence then, we can see that the exchange of "cheap" goods is not so much experienced by members as a self-interested means to greater material wealth or psychologically self-interested socially conferred honour, but more as an activity enjoyable in itself, constructed controlled and initiated by the spontaneous intentionality of members and operated by them in such a way as to sustain a socially interested network of communal relations. Moreover, the communal welfare seen in the gift of favours, and it is as an element in this context that stolen goods exchange occurs, is not officially, formally, or externally organized, and no objectified evidence of its existence exists. Rather, it emerges as and indeed constitutes ^{the essence of the "community action} group". In so far as

relations are structured in accordance with the socially interested reciprocity of the community action spirit; in so far as the products of alienated labour (i.e. stolen goods) are demoted to the status of a medium for the action of the exchange rather than being its purpose, then the amateur trade in stolen goods represents an attempt by members to shun the alienated conditions of the imposed dominant social structure and reconstruct for themselves a 'structure' of humanly related, community oriented relations-in-action. Finally, in so far as the members choose to operate the amateur trade in this way, then the reciprocity of socially interested "gift exchange" will be part of the meaning context of the because-of motive favourable to them further projecting participation in the action.

Conclusions

The nature of the descriptive speculation contained in the above sections is an attempt to draw together the taken for granted meaning contexts of members of the amateur trade and relate these to wider ideological currents in social life. However, it is doubtful whether "wider ideological currents", structures, or wholes exist in the world as it is constituted. They are merely a product of some members' constructive work in it; in this case the work of sociologists. By slotting members' meaningful experience of the world into sociologically available categories such as "reassertion of humanism", "play" and "gift exchange", I not only distort the members' view of the world but to an extent misrepresent its constitution.

Yet if such categories are not to be used, the question is raised as to how far it is possible for those whose work is sociology, to encompass the meaning of others' enterprises, while still directing the discussion to sociology. Involvement by the researcher may give access to the meaningful world of a particular enterprise, but no amount of "resocialization" into a members' culture is going to overcome the communication problem. Although the ability to "pass" as a member serves to validate one's understandings of the trade, it does not solve the difficulty of making those meanings understandable or even available to practitioners of the enterprise of sociology.

Silverman (1975) has said that we assimilate some of the general culture of society, and experiences can be partially communicated by sharing that culture through language. But in fitting experiences into a general language, or even to a particular language like that of sociology, we

must inevitably change their meaning. The act of communication, as Mills (1940) would recognize, is an act itself having a context of meaning. In other words, to address sociologists on their own terms, and to make members' meanings available through language must involve some merging of concepts, blurring of edges and inevitable distortion. If it did not, it would not be understandable; nor would it be sociology, but description in the language of the members' enterprise.

During my involvement in the trade through interviews and participant observation, I became aware of three social ways in which the enterprise appeared to be meaningful. Whether this was a result of my particular sensitivity toward not accepting simple economic glosses to "account for" behaviour, or whether those being interviewed were seeking some common channel of communication in an attempt to allow me to approximate their understanding of trading, or whether this was a straight empathetic act, is open to conjecture. The three areas I outlined as "reassertion of humanism", "play" and "gift exchange" are sociological terms; glosses for whole galaxies of meaningful action. They would be meaningless to the members of the trade. But does this preclude their usefulness as vehicles for displaying the members' meaning to sociologists? Perhaps this could be better understood if we supposed the situation were reversed. How, for example, would sociologists explain the concept of "reassertion of humanism" to members of the amateur trade? My research suggests that it would be adequate to do so in terms of some aspects of their buying and selling of on-the-side "cheap" goods.

Clearly the communication dilemma is not easily solved. It is even more complex than the simple equating of two strange

worlds would suggest. My understanding of the world of sociology and that of the amateur trade will be crucial to the meeting of these worlds. Any attempt to describe one in terms of the other must depend heavily upon my own biographical background. The areas I outlined then, were meaningful because of my own personal experience. The willingness to achieve a bargain or buy cheap goods is understandable to me in the context of my own exposure to advertizements, marketing manuals and a desire for people close to me and around me to want "nice" things. The preparedness to make a profit was familiar to me through my experience of buying and selling cycle parts as a teenager and developing and printing photographs as a "business". I also continued doing the latter at a loss and still found it enjoyable. It became too demanding when people kept giving me regular orders and expected to get their work done for nothing. At this point I, like the amateur traders, stopped.

Similarly the desire to control one's own actions is closely related to my own experience of leaving the photographic industry, where I was destined to become technical coordinator for Great Britain in a large photographic processing firm, but gave it up to do this thesis. The reward of being in control of my own actions rather than working for someone else, far outweighed the material rewards forfeited. Also, my experience in the photographic industry made me conversant with the enjoyment and excitement of getting away with various fiddles and perks such as expense fiddling and on-the-side photograph processing. Finally, I am aware of the "gift of favour" on credit and the subsequent celebration of repayment from many social encounters, not least of which have been those in which old pals gave me information in the course of compiling this

research.

All these experiences then, comprise my biographical disposition which led me to see certain meanings in certain ways when I entered the trade. These meanings seemed in some way essential, typical and common because of their frequency and the manner of their presentation. Whether or not my intervening position between the worlds of sociology and the amateur trade has taken from both without adding to either is difficult to assess, especially considering our current level of knowledge about the amateur trade. However, what can be achieved now is an increased description of the members' meaning in their own terms and situated in the context of their generation.

Only from such increased description can judgements be made as to the accuracy of allocating sociologically meaningful categories. It is plain that the evidence that I have presented is insufficient at this level. It needs to be supplemented by an investigation which would provide far greater detail of those features of the members' worlds that make it meaningful to them. As I said in Chapter One (pp.46-50), owing to the absence of previous work on the subject a basic pre-ethnographic study was necessary before any major exploration could be made, if only so that such ethnography could be "sensibly" approached.

I believe that this study provides the basic groundwork, especially details about how to gain access to the trade, and how to become accepted as a member. Using this information, it should be possible to conduct a depth anthropological study. This could be achieved in three complementary ways. Firstly, it could be done by gaining access to any of the typical occupations outlined in Chapter Three, and by using the appropriate "probe lines" to request the purchase of "cheap"

goods. In this way, the researcher could see how he would be treated by amateur dealers. Secondly, by gaining access to typical trading contexts and setting up as a dealer, the researcher could see how he would be treated by receivers. This need not involve buying stolen goods. All that is required is for genuine quality goods to be ambiguously presented in the manner of the amateur trade. Thirdly, it would be essential for the researcher to study the biographical background of each member in order to ascertain the place of the trade in his life and how it is meaningful to him. This could be achieved by repeated interviews of a sample of amateur traders over a one year period.

This work then, comprises a preliminary study. In order to displace the speculation conferred on members' meaning contexts by my use of sociological categories, it is necessary to penetrate more deeply into their worlds and to build up a complete ethnography of the members and their activity. The problem, however, will remain inevitably in communicating the nature of that world to "sociologists" who, ironically though it is, largely organize their categories of communication in such a way as to preclude understanding outside their terms.

NOTES

1. In law, as we shall see later, no distinction is made between the amateur or professional activities. The Theft Act, 1968 s. 22 states that, "A person handles stolen goods if (otherwise than in the course of the stealing) knowing or believing them to be stolen goods he dishonestly receives the goods, or dishonestly undertakes or assists in their retention, removal, disposal or realisation by or for the benefit of another person, or if he arranges to do so. "It also states that, "A person guilty of handling stolen goods shall on conviction on indictment be liable to imprisonment for a term not exceeding fourteen years.
2. I decided that an ordinary kind of conversation, guided by 'curiosity' would be more likely to reveal the members' understanding of their activity in their own language, than any form of structured interview. Thus it is to this that I refer whenever I use the term "interview".
3. While video tape recording would be more desirable, the cost, and the relatively low level of research, makes it impractical, and consequently only sound recording is possible.
4. The tape recorder used was the Sankyo Mini Cassette Tape Recorder, Model TC-821.
5. The tape-recorder (see note above) was small and light-weight, could be operated with one hand, did not require setting-up as it incorporated an automatic recording level control, and had its own built in microphone so that no microphone leads were showing. In addition the cassette tape was hidden and the whole machine was noiseless. In short it was virtually distraction free.
6. The names used for the interviewees are not their real names but have been drawn from the names of the staff of the department of Sociology of the University of Kent. Any similarity in character or in the activities they describe is purely coincidental. The biographies of the probationers interviewed has been omitted to save embarrassment to the individuals concerned.
7. Most commentators describe the attempt by Blueskin Blake to cut-off Wild's head in the presence of the Court of the Old Bailey (Howson, 1970, p. 217-18). The Transportation Act which was called the "Jonathan Wild Act" (4 Geo I c II sec 4&5) though introduced in 1718, was not brought to successful use until 1725 when the Recorder of London, Sir William Thomson was pressured by those of influence around him to act.
8. The phrase "set-up" has at least four meanings in the literature. As well as its use here, it describes the organization of a theft, the arrangement to defraud someone out of money or goods, and the arrangement for the apprehension of the thief or fence by the other.
9. Klockars is the first to distinguish between two meanings of "drop", the one used here being a transitory meeting place; the other described later being a

- permanent hiding place.
10. The number of types theoretically possible is mathematically related to the number of criteria chosen, by the formula, $y = (2x^2 - 2x)$, where x is the number of criteria and y the number of types.
 11. On hustling see Klockars 1974, pp. 29-53; Malcolm X, 1964; Pace, 1971, p. 20.
 12. On black marketing see Clinard, 1946; 1952; Hartung, 1950; Weltner, 1947; Anonymous, 1946; Cherne, 1942.
 13. See the Kentish Gazette, March 16, 1973 and Kent Messenger, March 16, 1973 for reports on almost identical activity.
 14. See Park, 1973 for an English example of the same activity at Heathrow Airport.
 15. I thank Cathy Howard of University of Colorado for pointing this out. It is worth noting that while the amateur dealer is the main source for the lay receivers' purchases of cheap goods, the latter is welcome prey to the hustler. Because of the nature of the amateur trade, the lay receiver is usually wise to the con of the hustler. However, should the hustler go so far as to emulate the amateur dealer it is possible for the lay receiver to be taken in.
 16. I thank Sally Ann Henry for sensitizing me to this possibility.
 17. It is important to realize that "amateur dealer" and "lay receiver" do not represent actual persons, but specific kinds of behaviour in which social actors creatively engage. They are typifications of activities which appear as social phenomena. An implication of this is that the same social actor may engage in any or all of the activities.
 18. I elaborate Matza's conception of neutralization and how this differs from self-defence mechanisms and verbalizations in the last section of this chapter.
 19. There are actually four obstacles which are bridged in Cressey's formulation. His "conceiving of a financial problem which is unshareable is not one but two problems: i) conceiving of a problem; ii) conceiving of this problem as unshareable. The conceiving of a financial problem, recognizing this as such is the motivational aspect of the action. Thus bridging is done in order to solve the financial problem.
 20. Matza's concept of neutralization should not be confused with verbalizations. See footnote 18.
 21. It is because of the one-to-one organization that hairdressing is an occupation particularly suitable to fostering the trade (See Chapter 3). The one-to-one relationship also distinguishes the amateur trade from

hustling where in all but the most sophisticated operations, the seller announces the sale of his wares to as many people as possible at one time. Should he wish to dispose of a quantity of goods, however, the amateur dealer is not limited by the one-to-one organization, since he relies on snowball advertising.

22. While Goffman's (1961a pp. 17-18) notion of encounter may seem equally appropriate as a mode of analysis, I have not chosen to use this because it is too discrete a concept, giving no indication of different levels of meaning between the two interactants and how interaction moves from one level to another. As we shall see in the next chapter, however, the activity comprising the amateur trade is in the same behavioural category as the "encounter" discussed by Goffman.
23. Ditton discusses three categories of "dodgy" character which he calls, "righteous straights", "wise straights" and "bent straights". However, this typology is confusing since only the righteous straight holds the truly "dodgy" distinction of someone not to be trusted because of their non-participation in the deviant activity of the group. The wise straight knows, or is allowed to know about such activity but does not participate; the bent straight really undermines the criteria of classification as he is engaged in deviant activity though appears to management as a trusted employee.
24. In addition to the reason mentioned earlier, there are at least three reasons why I am dissatisfied with this approach. Firstly, the term encounter is already well established in its own right and is not improved by renaming it as "set-up". Secondly, "set-up" is a confusing term to use since it already has four different meanings in the literature. Thirdly, describing this stage as a "set-up" concentrates attention on the transactional nature of the exchange and fails to lay bare the interactional process of which it is merely a part.
25. It must be emphasized that these categories of relationship only crudely indicate the broad distinctions. It must be left for a more intensive ethnography of the field to examine the shades of relationship, their respective strengths, and the nuances affecting these and reflected in the prices charged between members.
26. It is inevitable that a division of labour should lead to indirect exchange, but it is not inevitable that it should lead to the capitalist mode of that exchange.
27. I thank Sally Ann Henry, for this succinct insight into the advertisers' interpretation of their activity.
28. Huizinga has an unfortunate tendency to reify play and separate it from those engaged in it. As we shall see it is not play which demands order or the rules of play which determine what is relevant, but the intentionality

of the members. Failure to see this as I argue later resulted in Huizinga being in a paradoxical position with respect to the relation of play to social life.

29. Davis perhaps misses this crucial distinction because of a reliance on second hand, rather than first-hand ethnographic material, and so is unable to "know what the form of these relations is" (Davis, 1973, p. 170)

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