

Three ecologies, transversality and victimization: the case of the British Petroleum oil spill

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Abstract A number of critiques of the burgeoning field of green criminology have recently been articulated in the literature. The aim of this article is to begin to demonstrate what green criminological work responsive to these critiques might look like. The two primary critiques we are concerned with here are (1) that there has been little intellectual sharing between the fields of green criminology and victimology, and (2) that green criminological work has failed to be reflexive about the modernist assumptions it has largely adhered to. In response to these critiques, we draw on the theorizing of poststructuralist Felix Guattari to analyze the various interrelated layers of victimization in the 2010 British Petroleum oil spill case in the Gulf of Mexico.

Around the globe corporate crime has resulted in grievous human rights violations [29], devastating effects on the environment [55] and anti-social effects on society. Corporate crime inflicts far more economic damage than street crime [30]. In terms of corporate harms, examples range from safety violations in garment sweatshops, cooperation with brutal military regimes by oil and gas companies in countries such as Burma and Nigeria, not to mention the exploitation of developing countries by relocating manufacturing to these nations to obtain the most profit and maneuver around health and safety laws [32]. These forms of corporate harms, ranging across the environmental, social and mental realms, have found their clearest articulation in North America in the form of oil spills. An example of such a constellation of degradation is the Exxon Valdez oil spill, which occurred when a tanker ran aground in the waters of Prince William Sound, Alaska in 1989. This led to a spill of

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approximately 240,000 barrels (or 11 million gallons) of crude oil within the next few days into the waters of one of the world's most productive and beautiful marine environments [45]. The Exxon Valdez spill was one of the worst in American history, damaging 1,300 miles of shoreline, disrupting the lives and livelihoods of people in the region and killing hundreds of thousands of birds and marine animals.

Despite the immense damage and degradation caused by the Exxon Valdez spill, it pales in comparison to the 2010 British Petroleum (BP) oil spill in the Gulf of Mexico. Eleven people were killed in the explosion of the Deepwater Horizon oil rig and approximately 60,000 barrels of crude spilled into the Gulf per day, which would be the equivalent of another Exxon Valdez oil spill every four and a half days. It took over three months to stop the spill. The total amount of oil spilled was estimated at more than 200 million gallons, making it the largest peacetime offshore oil spill ever [14].

In this article we focus on the unprecedented constellation of corporate devastation related to the BP oil spill case. We draw together extant criminological work on corporate harm and victimization, victimology, and green criminology [11, 47]. We are particularly interested in demonstrating what green criminological analyses responsive to recent critiques in the literature might look like. There are two main critiques of green criminological research that we are concerned with here. The first is that to date, there has not been much dialogue between the fields of victimology and green criminology [11]. We use the case of the BP oil spill to bring these fields into closer contact and to demonstrate the significance of this and other acts of corporate harm. The second critique is that green criminology has not been reflexive about the modernist assumptions to which it has tended to adhere.¹ Most approaches to corporate harm and victimization have been largely influenced by variants of Marxism.² Diverging from this approach and in response to concerns about the modernist assumptions of green criminology, we utilize the work of poststructuralist Felix Guattari [23] to develop a framework for understanding the manifold effects of corporate victimization.³ Guattari's work allows for an understanding of the different ecologies of corporate victimization. These ecologies correspond to and allow for explanation of the social, environmental and mental harms committed by corporations. In this article, we examine the transversality of these three ecologies as it pertains to the BP Oil spill in the Gulf of Mexico.

This article is structured in six sections. In the first section, we review the green criminology literature and address the potential connections to victimology. Second, we offer a cursory overview of Felix Guattari's work and the appropriateness of his approach to the study of corporate victimization. In the third section, we offer a commentary on the modern corporation and then in the fourth section we give a brief overview of British Petroleum and the particular event of victimization corresponding to the BP oil spill. In the fifth section, we describe the social, environmental and mental ecological forms of corporate victimization resulting from this disaster. We then conclude by expanding upon

¹ See [25].

² See for example, [42, 43].

³ C.F., [25].

the contributions of this type of analysis to green criminology and our understandings of corporate victimization more generally.

Green criminology and the intersections with victimology

Green criminology,⁴ a term coined by Lynch [35], refers to the study of environmental harm, harms against non-human animals, environmental laws, and environmental regulation by criminologists [3, 51, 52]. Green criminologists strive to be non-anthropocentric in their analyses, meaning that they do not give priority to human beings, and instead examine harms against the environment and non-human animals as harmful activities in and of themselves, and not simply harmful and worthy of examination because they negatively impact humans. The interests of green criminology incorporate specific incidents and events, often within defined geo-political areas, through to issues of global magnitude [54, 55], and examine the actions of individuals through to corporations and states.

For exponents of this perspective, whatever the scale or the type of environmental harm, these are matters of great public importance and criminological concern. The public has certainly become more attuned and responsive to environmental degradation and crises. However, compared to attention paid to environmental issues by the general public and other disciplines (e.g., sociology, political science), criminology has been rather slow in integrating issues of environmental concern [25, 51]. South [51] argues that a failure to integrate “green” concerns should prompt a questioning of the relevance of criminology as a whole: “A criminology relevant to the [21st century] should have the intellectual breadth and constitutional space to be able to embrace environmental, human and animal rights issues as related projects” ([48]: 225). A key motivator of proponents of green criminology is to try to predict and to prevent disaster and degradation from occurring, since such events are capable of destroying specific life forms and life on the planet generally [40].

While green criminology possesses great potential to critically analyze harms against the environment and non-human animals, the focus of the field thus far has primarily been on understanding the structures and representations of responsibility.⁵ Less attention has been paid to the nuances of the actual victimization⁶ and the field remains insufficiently connected with the work in victimology [11], and more specifically, the work on corporate victimization [10, 46]. This is somewhat surprising as there is significant conceptual overlap between green criminology and victimology. Victimology is concerned with critically examining and understanding the perpetration of harm (although much of the focus has been on actions deemed illegal or extralegal) and its aftermath, while green criminology is focused on specific areas of harm that need not fall outside of the purview of victimology: harms against the environment and nonhuman animals, as well as harms against humans that are mediated through the environment and nonhuman animals. To date, however, victimology has been anthropocentric and not meaningfully confronted the victimization

⁴ For a critique of the term “green criminology”, see [20, 25].

⁵ See for example, [12].

⁶ For notable exceptions, see [11, 58].

of the environment and non-human animals, despite calls to attend to environmental victimization [6, 49, 57] and harms against non-human animals within victimology [11].

The few academics who have argued in favour of including environmental victimization within the conceptual boundaries of victimology have thus far been focused on defining the term “environmental victim,” articulating the various causes of environmental victimization, the impacts of environmental victimization [49, 56], the potential legal protection of environmental victims [49], and the omission of environmental victims from pieces of legislation [6]. Much of the theorizing up to this point has focused on the environmentally mediated victimization of people. It is less clear how the victimization of the environment itself and non-human animals could be handled within victimology. In addressing this issue, Fitzgerald [11] suggests critical victimology⁷ in particular could be a useful perspective for examining victimization of the environment and/or non-human animals for two main reasons: (1) critical victimologists espouse looking beyond capitalism and its role in victimization to other social forces. This provides some conceptual space for interrogating the role of anthropocentrism and how it places animals and the environment particularly at risk of being harmed; (2) critical victimology promotes a critical understanding of the terms victim and victimhood, recognizing that they are context-specific instead of universal, and thus makes it possible to point to contexts where non-human animals and the environment are meaningfully considered victims.

In addition to being critiqued for not attending to the nuances of victimization, green criminology has been accused of adhering to modernist tenets. Elaborating upon this point, Halsey [25] delineates a list of interrelated critiques. He accuses green criminologists of: suggesting there is inherently correct environmental conduct (that which promotes ‘integrity, stability and beauty’), assuming there is an objective means of determining the best socio-environmental ethic, uncritical acceptance of western science (particularly the concept of sustainability), promoting increased criminalization as a solution for environmental degradation, suggesting an inherent human nature, promoting a problematic system of universal human and non-human rights, accepting simplistic conceptualizations of power (e.g., powerful/powerless), and using the term environmental justice without questioning what justice is and who gets to make that determination. Although Halsey paints green criminologists with a rather broad brush, he does draw our attention to the need to interrogate epistemological assumptions. He also points to some interesting alternative routes for green criminological analyses, one of which is to draw from the work of poststructuralists Gilles Deleuze and Felix Guattari. He argues that their conceptualization of nature as *flow* – “that which incessantly returns, despite all attempts to classify, manage and contain portions of the Earth” ([25]: 846) – rather than structure is particularly valuable. In sum, according to Halsey,

the work of Deleuze and Guattari provides a means for keeping pace with the mobility of environmental problems by considering Nature and systems of environmental regulation as always already discursively produced and contested.

⁷ See for example, [36, 53].

Significantly, they make no grand claims concerning ‘solutions’ or the precise conditions for long-term ‘ecological sustainability’ ([25]: 846).

Our aim in this article is to begin to address the limitations of green criminology listed above, specifically that there has not been much cross-pollination of ideas between green criminology and victimology and that green criminology has accepted some problematic modernist assumptions. We do so by drawing on the work of Felix Guattari to analyze the victimization that resulted from the BP oil spill. Before we proceed to the analysis, however, we provide background information on Guattari and the aspects of his theorizing that we are drawing most extensively on here.

Three ecologies and transversality

Felix Guattari was a psychoanalyst, social theorist and activist. He was a friend and collaborator with Gilles Deleuze, Jacques Lacan and Antonio Negri. Despite his extensive personal writings, his work remains subsumed under and associated with Gilles Deleuze. His intellectual input to *Anti-Oedipus* and *A Thousand Plateaus* is minimized due to the order of authorship [15]. Be that as it may, such works as *The Three Ecologies* and *Chaosmosis*, attest to the scope and depth of his work. Here we are concerned with the insights that can be gathered from his work to understand environmental corporate harm and victimization.

Felix Guattari’s key object of criticism is what he called *Integrated World Capitalism* (IWC) which, through a series of techno-scientific transformations, has brought the world to the brink of ecological disaster, causing a disequilibrium of the world’s natural environment from which the Earth will take many generations to recover, if at all. IWC is networked and “delocalized and deterritorialized to such an extent that it is impossible to locate its sources of power” ([44]: 4). IWC is now, above all, a fourth-stage capitalism, no longer oriented to fabricating primary (agricultural), secondary (manufacturing), or tertiary (services) products, but now oriented to the production of “signs, syntax, and ... subjectivity” ([23]: 32).

For Guattari we must conceive of ecologies as realms encompassing the environmental, the social and the mental. This is what he called at points the complex of environment-social-mental. Environmental ecology refers to the biospherical, social ecology to the socius or social relations, and mental ecology refers to human subjectivity. These three ecologies are not only presented as sites of negotiation and reconstruction, but also in Guattari’s parlance as interchangeable lenses, styles or registers. Ecology, then, is pluralized. They are not distinct territories but formed relationally and transversally. The ecologies are to be considered singly, in their interaction with other ecologies, and both at the same time. In Guattari’s ecosophy attention is shifted to how ecologies communicate, not in some linear fashion but in terms of affective intensities [18]. The pluralization of interactive ecologies engenders a politics of process where existence is in the very act of its constitution, definition, and deterritorialization.

Guattari discusses the problems of neoliberal capitalism as a combination of mental dulling, social homogenization and conformity, and ecological destruction and crisis, corresponding to the mental, social and ecological ecologies, respectively.

All the ecologies mentioned above seem less and less self-contained. They are also less open to traditional or even more contemporaneous, disciplinarity. The focus on intersecting ecologies opens to prospects to transdisciplinarity. As they diversify, ecologies seem riddled with transversals [16, 23], connections that cannot be reduced to one ecology or discipline and transform all those they pass through. In the process, these new ecologies and their transversals are “initiating new and multiplying existing connections between science-society-ethics-aesthetics-politics” ([16]: 138). The connections made reveal the difficulties, potentialities, and stakes of knowledge and action in the face of global disasters. In subsequent sections, we will expand further on the characteristics of the respective ecologies and how they help us comprehend the nature of corporate harm and victimization.

The transversality concept spans Guattari’s work. In his early work, Guattari mobilized this concept in relation to a coefficient in terms of degree of blindness by members of various groups. When blinkers are adjusted they may cause traumatic encounters between singularities and reveal the degree of transversality. Throughout his work, transversality remains a property of groups [15, 17]. Transversality is the tool used to open hitherto closed logics and hierarchies through the opening of communication between the different levels of organization or ecologies. For Guattari, an event of transversality may create a subject group that come together in a ‘spark’ of common praxis and creatively respond to a common object, in some cases challenging the status quo.

Whereas Guattari’s initial analysis and utilization of the concept of transversality was couched in a critique of mental institutions, he moved on to critique ecological disaster. Transversality serves as a tool for dismantling the power/knowledge diagrams illustrated so well by Michel Foucault. The concept of transversality is, according to Guattarian scholar Gary Genosko [15], radically open to mutations and complexifications flowing across all sorts of domains. According to Guattari, transversality within domains involves communication that is neither pure verticality nor horizontality. Transversality tends to be realized when intense *communication* is brought about between different levels and in different directions [18]. The challenge posed by Guattari’s work - to think transversally - is to respond to political, social, and ecological emergencies and unsettle structures of thought and institutions that seek to maintain the firm distinctions between the social, the political and the environmental. By re-establishing relations between workers and ecology movements, there is a reinvention of subjectivity at the crossroads of these ongoing dialogues. Here we will take up this invitation and apply the concept of transversality – both as ‘spark’ and as ‘flow’ – to analyze the assemblage of devastating effects resulting from the British Petroleum oil spill corresponding to mental, social and environmental ecologies. In the next section, we offer an ontology of the corporation.

The corporate form and victimization

Corporations arguably affect every area of our lives. The ubiquity of the corporation is, arguably, a relatively recent phenomenon, as in the past 30 years or so the influence of corporations over and within our daily lives has grown exponentially. As early as 1932, Adolf Berle and Gardiner Means wrote of the corporation:

The state seeks in some aspects to regulate the corporation, while the corporation, steadily becoming more powerful, makes every effort to avoid such regulation. Where its own interests are concerned, it even attempts to dominate the state. The future may see the economic organism, now typified by the corporation, not only on an equal plane with the state, but possibly even superseding it as the dominant form of social organization ([4]: 357).

Berle and Means foresaw the rising strength of corporations to subvert the regulation and challenge the strength of states. The contemporary corporation, due in part to its transnational character, is able to subvert regulation in core nations and overpower so-called ‘developing’ countries [8, 19]. Swept along the international tidal waves of conservative reforms, governments across the world have, in this 30-year period, relinquished ownership and control of whole swathes of economic activity and services provision. Transportation systems, the provision of basic utilities like electricity and gas, even the conduct of war, state security, intelligence, and criminal justice are now arenas in which corporations play increasingly significant roles. The rise of the corporation, coupled with the state’s very recent handing over of activities to them at the same time as softening regulator regimes, has increased our exposure, as citizens, workers, and consumers to the inherent downsides of corporate activity [50].

Corporations are particularly adept at such encroachments because of their peculiar character. A corporation is a formal business association with a publicly registered charter recognizing it as a separate legal entity having its own privileges, and liabilities distinct from those of its members. Corporations exist as a product of corporate law, and their rules balance the interests of the management who operate the corporation, creditors, shareholders, and employees who contribute their labor. An important, but not universal, feature of a corporation is limited liability. If a corporation fails, shareholders normally only stand to lose their investment, and employees will lose their jobs, but neither will be further liable for debts that remain owing to the corporation’s creditors. Despite not being natural persons, corporations are recognized by the law to have rights and responsibilities like natural persons (‘people’). Corporations can exercise human rights against real individuals and the state. For example, in the 1978 case, *Marshall v. Barlow Inc.*, the United States Supreme Court ruled that incorporated businesses, under the 4th amendment, possess the same protection as human citizens from police searches. Just as they are ‘born’ into existence through members obtaining a certificate of incorporation, they can ‘die’ when they are ‘dissolved’ either by statutory operation, order of court, or voluntary action on the part of shareholders. Insolvency may result in a form of corporate ‘death’, when creditors force the liquidation and dissolution of the corporation under court order, but it most often results in a restructuring of corporate holdings.

Corporations are legal fictions, an artificial creation of the law. Albeit the corporation is a creation of the law – invisible, intangible and incorporeal – it is concomitantly an entity existing independent of its members [2]. Unlike humans, the corporation has no corporeal body, it cannot think, or speak, or enter into legal relationships for itself. The corporation is lifeless and formless. Like a ghost, the corporate person cannot be housed in a penal institution [13]. This ontology positions

corporations as monads, essentially minds. Corporations are only subject to their own laws and as minds, have none of the limitations or potentialities of bodies. This peculiar character of the corporation makes it a particularly uncaring legal person, unable to experience emotions associated with guilt, remorse and compassion: corporeal capacities that corporations do not possess.

When trying to establish corporate liability, victims of corporate harm face the reality that legislation in place in so called ‘developed’ and ‘developing’ nations alike do little to challenge the conditions that allow corporate harms to take place [5, 28, 33]. In addition, efforts to prevent and control corporate crime are limited in terms of feasibility [1]. Within IWC, there is a subjectivisation that inhibits questioning of the necessity of the corporate form, despite a long history of corporate harms to the environment. This side of the corporation revealed itself in British Petroleum’s manifestation of and response to the oil spill in the Gulf of Mexico. In the next section, we offer a brief overview of British Petroleum and the particularities of the ‘disaster’.

British Petroleum and disaster as a ‘Spark’

With its roots as a corporation dating back to the late 19th century, British Petroleum (BP) is one of the world’s foremost oil and gas companies, which provides ‘fuel for transportation, energy for heat and light, retail services and petrochemical products for everyday items’ (www.bp.com) across the globe. They have close to 80,000 employees and invest heavily in research and development, particularly in university research programmes. Since at least the early 1990s, BP has branded itself as a socially and environmentally responsible corporate citizen.

Corporate social responsibility is based on the conception that corporations will hold themselves responsible for promoting safe operations in the environments and communities in which they operate. As Lock [34] describes, this is the equivalent of “the fox guarding the chicken coop”. On the one hand, corporate social responsibility fundamentally contradicts the goal of profit maximization for shareholders. On the other hand, corporate social responsibility may appeal to investors based on the fact that it may promote the image of being a stable investment, being less risky and having attractive long-term benefits [27]. Being one of the largest energy companies in the world, BP was and is under considerable amount of pressure to maintain investment volume.

In the days after the spill, BP made an effort to minimally disclose the extent of what was happening and the damage. The company continually changed its estimates of the exact amount of oil spilling. BP first claimed that the well was leaking around five thousand barrels a day, which was 2 % of the actual volume being released [14]. As the crisis continued the reported numbers increased and by the time they were able to fix the leak the official estimate was nearly 60,000 barrels a day were spilling into the Gulf [22]. We now know that BP, at no point in the catastrophe, had an idea of how much oil they were spilling. This ignorance was matched by seeming lack of care and sensitivity for the victims of the spill by BP; for instance, then CEO of the company, Tony Hayward, made comments about how he just wanted his life back and was seen watching his yacht in a race in the midst of the catastrophe [7].

Throughout the initial stages of the crisis, the spill was continuously referred to as a ‘disaster’ by media sources and BP representatives. Because the BP oil spill came to be codified as a disaster, visions of the spill induced all the astonishment that ‘natural’ disasters bring [38]. The affective register of the disaster lifted the blinders and served as a ‘spark’ to draw attention to the devastation resulting from the spill. Typical of events of transversality, previous notions of the ostensible safety of the oil industry came to be reversed. It is in this context that we discuss the mental, social and environmental ecologies affected by the BP oil spill.

British petroleum, three ecologies and victimization

In relation to mental ecology, Guattari argues that we are being mentally manipulated through the production of a collective, mass media subjectivity. Guattari’s contention is that IWC is engaged in a far more insidious and invisible penetration of people’s attitudes, sensibility and minds ([24]: 53). Human subjectivity, in all its uniqueness – what Guattari calls its singularity – is as endangered as those rare species that are disappearing from the planet every day. This mass-media homogenization is both desingularizing and infantilizing. As a way to enunciate the breaking away from mental dulling, Guattari calls for a grasping of points of rupture of denotation, connection and signification in individual singular lives.

Prior to the spill, British Petroleum used extensive marketing to paint a vivid picture of a company that strives to promote the betterment of the environment through their work. BP has, for some time, used language as a sort of commodity, marketing themselves through skills of linguistic and textual manipulation. A case in point in this regard is the use of the term ‘Beyond Petroleum’ as another moniker for themselves [48]. BP spent an estimated two hundred million dollars on an advertising campaign to portray themselves as strong advocates of corporate social responsibility. Post-disaster it became apparent that perhaps BP is not as environmentally friendly as their two hundred million dollar advertising made them out to be. This type of misleading advertising is quintessential green washing [7], where through mass marketing and strong public relations control, a company manipulates their image to make themselves appear environmentally friendly. The rupture from their publicly fostered image is significant, as it is a veritable lifting of the blinders, a break in the mediatized vision of British petroleum as an environmentally conscious corporation. And as time lapses and BP fails to sufficiently compensate coastal fisherpeople and clean up the spill, the protests towards BP reveal that there is a breaking away from the existential refrain of trusting BP to be concerned with anything other than their own corporate liability.

For Guattari, social ecology signifies the development and maintenance of human groups of differing sizes and cultures and corresponds to qualitative reorganizations of primary subjectivity as it relates to mental ecology. That is, human subjectivity relates to the qualitative composition of the *socius*. This correspondence, according to Guattari, results in a social homogenization and consent to exploitation within Integrated World Capitalism (IWC). Corporate harms, like that of the BP oil spill, are not limited to threats to the environment, but also social ecologies. According to a published letter written to BP by the Louisiana Governor’s administration in the wake

of the spill, more than 12,000 jobs were at risk in Louisiana due the spill. Federal officials, in turn, closed off more than 30 % of the Gulf of Mexico to fisherpeople [39]. Although portions of the Gulf were uncontaminated by the oil spill, some cautious restaurants began rejecting all Gulf-Coast seafood shipments as a safeguard — which affected the ability of fisherpeople to sell their harvest. In addition, many of the coastal cities, which rely on tourism for their livelihoods, saw significant drops in reservations and loss of revenue to local businesses. The impact of the Deepwater Horizon oil spill could cost the U.S. coastal economies \$22.7 billion over a period of 3 years [41]. With the oil spill representing a loss of livelihood for many coastal inhabitants, we can see this disaster as a threat to these social ecologies. Moreover, the spill can be seen as a negation of the local communities as occupants will be forced to move elsewhere to find employment.

When Guattari speaks of environmental ecology and IWC, he is, in effect, discussing the ecological destruction brought about by transnational corporations. In the case of the BP oil spill, the full extent of environmental degradation is not known. The BP oil spill is the largest peacetime spill globally, as between 17 and 39 million gallons spilled in the Gulf of Mexico, with 1631 total miles of coastline affected, including the coasts of Louisiana, Mississippi, Alabama, and Florida [9].

In the initial oilrig explosion, 11 humans were killed and 17 others were injured. The mainstay of the oil is below the surface of the Gulf coast. Initial indications by scientists are revealing that the coastal areas and marine ecosystems surrounding the Macondo blowout are sick. Scientists who work along the Gulf coast and beyond, state that much of the marshland on Louisiana's coast look degraded and indicate that certain fish's immune systems appear to be compromised and that algae and seaweed production is lower than normal. In the year following the disaster, a massive amount of endangered sea turtles washed ashore on the Gulfport beach in Mississippi [31]. The National Oceanic and Atmospheric Administration scientists have linked mass dolphin deaths to the BP Oil spill [26]. In addition, according to reports, the chemical dispersants meant to break up the BP oil spill present new environmental concerns, posing similar threats to local ecosystems.

The degradation of the environmental ecology intersects with BP's attempts to affect the mental ecology of victims and onlookers. Greenpeace obtained documents through Freedom of Information Act requests that revealed BP was involved in an intensive campaign to influence the scientific research being conducted to determine the effects of the spill on the environment [21]. BP was shown to be concentrating their efforts on minimizing the spill's effects through paying scientists considerable sums of money to remain silent on the oil disaster. Sadly, some scientists took BP up on their offer. What this shows is the transversal flow between the mental and environmental ecologies and attempts by BP to manipulate public awareness regarding the considerable damage to the environment.

Discussion and conclusion

To conclude, in this article we have offered an ontology of the modern corporation and analyzed the assemblage of devastating affects resulting from the British Petroleum oil spill corresponding to mental, social and environmental ecologies. We

contribute to green criminology and victimology through conjoining these ecologies and by showing the levels at which corporate victimization occurs. It was fairly evident to most observers of this disaster that harm had befallen the people who resided along the Gulf Coast and depended upon the Gulf for their livelihoods. Our analysis expands this observation by (1) exploring this victimization vis-à-vis mental, social and environmental ecologies, and (2) by expanding upon the conceptualization of victim and victimhood.

Our analysis of mental ecology demonstrates how BP not only harmed individuals along the Gulf Coast through the initial oil spill, but the victimization was perpetuated by the continued attempts of BP (under the moniker of “Beyond Petroleum”) to market itself as a company that prioritizes the well-being of the environment and citizens. The mental dulling and threats to subjectivity under Integrated World Capitalism (IWC), as described by Guattari, put people at risk of (further) victimization. In the face of victimization, however, such as that described in this article, ruptures may appear that ultimately threaten the homogenization taking place under IWC.

Corporate harms, such as the one explored in this article, also threaten what Guattari refers to as social ecologies. The communities built around and dependent upon the Gulf suffered as a result of the oil spill. The suffering was not only economic, but also cultural. Such harms remind us that although the field of victimology has focused on economic or physical victimization, the scope of harms – particularly those perpetrated by powerful institutions like corporations – can extend well beyond these realms. Drawing from research on and theorizing of “crimes against humanity” in the future might be useful in developing an environmental victimology that could assist those who have been victimized as part of a collectivity [49].

The environmental ecology Guattari delineates also clearly suffered as a result of the BP oil spill. The exact degree of damage suffered will never be known. We do know that the quality of the water was compromised and that members of a number of species, including fish, turtles and dolphins died as a result. Not only were there several levels of victimization, there were numerous species of victims; however, the term ‘victim’ requires specification.

Based on our analysis, we would argue that the individuals harmed by the BP oil spill are “environmental victims.” In the past, connections between victimization and the environment would have been made in reference to natural disasters, such as earthquakes, where the only perpetrator who could perhaps be identified was Mother Nature. Williams [56] has suggested distinguishing between environmental victims and environmental casualties as a way to conceptually separate those environmental events that have no perpetrator and those that do. He recommends describing those who have suffered as a result of truly ‘natural’ disasters as *environmental casualties*. This type of environmental harm is a matter of chance. *Environmental victims*, on the other hand, suffer as a result of “a deliberate or reckless human act (including an act of omission)” ([56]: 19). Based on everything that is known about this case, the designation of *environmental victim* to refer to those harmed by the oil spill seems eminently more appropriate than the term *environmental casualty*.

The question that then arises is: How encompassing is the definition of environmental victim? More specifically, is the environmental victim designation reserved exclusively for human victims of environmentally mediated harm, or can it also refer

to non-human animals and the entire ecosystems involved? In other words, can we refer to those harmed at the level of Guattari's environmental ecology as victims? Williams suggests defining environmental victims as "those of past, present, or future generations who are injured as a consequence of change to the chemical, physical, microbiological, or psychosocial environment, brought about by deliberate or reckless, individual or collective human act or act of omission" ([56]: 21). The standing of the environment or biosphere as victim seems untenable under this definition. It appears possible to include non-human animals within this definition, as he only refers to "those" generations who are injured, although later in his article Williams refers exclusively to 'human injury,' so whether or not he would be comfortable including non-human animals within his definition of environmental victim remains unclear. Others have been more explicit, however, in their restriction of the term environmental victim to humans. For instance, in their article on the omission of victims in legal discourses on environmental crime in the European Union, Cardwell, French and Hall [6] are clear about restricting their discussion to human victims. They state, "For the purposes of this article 'victim' in this context is generally taken to mean individual (human) persons adversely affected by environmental crime" ([6]: 113). They do, however, recognize the limits of their definition, stating one sentence later that "It is equally acknowledged that such an anthropocentric approach ignores the complex relationship between humans, animals and the biosphere together with wider notions of ecological justice" ([6]: 13).

The exclusion of non-human animals and the biosphere from the definition of environmental victims may appear to some to be a minor issue of semantics; however, this definitional issue is one area where the intersection of green criminology with (environmental) victimology can be particularly insightful. The exclusion of non-human animals and the biosphere from this definition leaves anthropocentrism unchallenged. This is problematic because the devaluation of non-human animals and the environment permits companies like BP to continue to expose them to harm, to undervalue the risks that they face, and to obfuscate responsibility for these risks and harms. In short, it permits business as usual. Further, as we have demonstrated in our analysis here, the victimization of the environment, non-human animals, and human populations cannot be neatly teased apart. For these reasons, we recommend a 'green' victimology that is inclusive of all victims of environmental harm.

In this article we have taken Halsey [25] up on his suggestion to introduce more poststructuralist thinking into the burgeoning area of green criminology. We have utilized the theorizing of Felix Guattari to analyze nature as *flow*. Instead of chronicling and attempting to provide neat categories of the types of harm perpetrated by BP in the Gulf of Mexico, we demonstrate how the harms perpetrated by BP transcended boundaries between groups of victims. These harms really are best conceptualized as flowing – across geographic space, victim groups, and time. If anything was learned from the BP oil disaster in the Gulf of Mexico it is that once unleashed, these events are nearly impossible to contain and redress.

The sanctioning and shaming of British Petroleum in the aftermath of the spill has proven to be insufficient to press them to think beyond their own corporate liability and ultimately, profits. In November, 2012 BP plead guilty to criminal charges and charges under the Migratory Bird Treaty Act and the Clean Water Act. They agreed to pay \$4.5 billion – the largest criminal fine paid in US history. This is but a fifth of BP's 2011

profits. The charges stem from the fact that BP failed to appropriately seal a well, which caused the initial explosion, and mislead Congress about the severity of the situation. Additionally, two employees have been indicted on charges of manslaughter and involuntary manslaughter in the deaths of the 11 employees, a BP executive has been charged for making false statements to Congress about how much oil was being released into the Gulf, and an engineer was charged with obstruction of justice for destroying evidence in the case. Numerous civil cases are pending. Despite this British Petroleum has not lost its 'right' to drill in the Gulf of Mexico. In the face of protestations by environmentalists, the Obama administration reissued new drilling rights in October 2011 [37]. As evidence of the efficacy of the mental dulling of BP, the offshore driller has been able to, at least politically, rehabilitate its image following the Deepwater Horizon accident. On October 11, 2011, the Head of the Bureau of Safety and Environmental Enforcement, Michael Bromwich, after a congressional hearing in Washington stated that "they [BP] don't have a deeply flawed record offshore" and questions whether "you administer the administrative death penalty based on one incident?" He then asserts, "we have concluded that's not appropriate" [37]. This, then, begs the question: how much ecological degradation does a corporation have to commit before they are prevented from operating?

There is a need, as Guattari [23] has indicated, to push back through a process of developing heterogeneity and dissensus and concomitantly constructing a unified social movement against Integrated World Capitalism. Accordingly, Guattari urged people to reclaim their subjectivities and build existential territories of their own. In relation to the BP oil spill, protests against British Petroleum had a transversal character in many respects. For example, in April 2011, climate activists flash-mobbed a BP gas station shutting it down. Elsewhere, green activists and coastal fisherpeople from North America and Europe protested at BP's annual meeting, gaining considerable media attention. In many respects the convergence of these otherwise antagonistic groupings shows the transversality of protests groups. The creativity and persistence of these groups hold promise for a future that may see new radical subjectivities that adequately pierce the corporate veil and challenge Integrated World Capitalism.

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