




Lecture 10:
(A) Critical Marxian and
(B) Feminist Theories

ANGELA DAVIS
founding member,
critical resistance

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evals

- MORE: Assigned readings; examples; defining concepts; applying theories; dad jokes; international; non-binary & LGBT identities; grades
- LESS: blue backgrounds; difficult; suits; methodology
- SPLIT: groups; graphs; theory; current events; review of basics;
- ANNOY: mmm-hmm; umm; talk slow/soft;
- Prefer essays; short answer; IDs

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critical Marxian theories

- Background: Marx, Crime, and Science
- Assumptions
 - Value conflict
 - Capitalism is tied to delinquency production
 - Reconceiving crime as "social harm"
- Conceptual Tools
 - "Dialectical materialism"
 - Social classes and class conflict
 - A new typology (Richard Quinney 1977)
 - Crimes of domination & repression by agents of capitalists
 - Crimes of accommodation by working class to survive
 - Crimes of resistance by working class

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• Critique of (Mainstream) Criminology

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    Economic system of capitalism → Class divisions & struggles → Overt & covert use of power to control powerless → Juvenile delinquency as accommodation to controls or as direct criminalization
  
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conflict theories/concepts

- Class conflict (Quinney 1975)
 - instrumental Marxism
 - law, agents, maintain and legitimate elite dominance
 - ("I win clause," drug laws)
- Culture conflict (Sellin 1938)
 - diversity → clash of conduct norms
 - ("a Sicilian father in NJ killed the 16-year-old seducer of his daughter, expressing surprise at his arrest since he had merely defended his family honor in a traditional way."; examples today?)
- Left Realism (1980s+)
 - structural Marxism (relative autonomy of cjs)
 - some rules/acts unrelated to class conflict
 - reform agenda
- Social Threat (Liska 1992)
 - social control responds to threat, not deviance
 - (race and fear, punishment)
- Africana Criminal Justice (Alexander, Potter)
- Convict Criminology (today)

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Loic Wacquant (2012)

[*Punishing the Poor* 2009]

1. CJS expansion due to social insecurity, not criminal insecurity
 - Punishment rose as crime fell
 - P. 38. Bends post-industrial working class to precarious wage labor
2. Link social & penal as poverty policy
 - Forced participation in subpar work
 - Both use stigma, surveillance, sanctions
3. Neoliberal state
 - convergence of Workfare & Prisonfare
 - Liberal head (free market at top) on a paternalistic body (interventionist at bottom)

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Radical Criminology: Lynch, Schwendinger, & Schwendinger in CWB

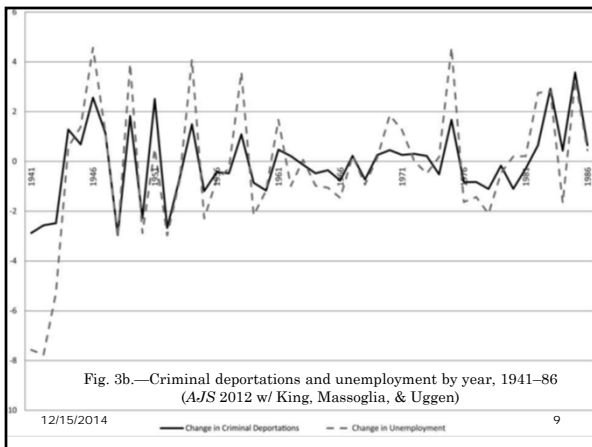
- Environmental harms as crime (e.g., lead)
- Economic structures
 - Rusche-Kirchheimer 1939 on incarceration
 - Unemployment, marginalization, & surplus pop.
- Material and cultural structures
 - Violence and mode of production (e.g., rape)
 - Schwendingers on instrumental public discourses
- David Greenberg (1977): *Delinquency and the Age Structure of Advanced Capitalist Society*
 - Status of adolescents: Child labor, minimum wage, compulsory education laws - no productive role
 - Adolescent status anxiety and consumption needs explain age-crime relation

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critique

- Critique
 - Explaining criminal behavior? (not rulemaking)
 - General consensus on severity rankings
 - Instrumental model oversimplified
 - But hard to find anything recognizably Marxian in some recent formulations
- Value and relevance
 - Undeniable class bias in defining and punishing deviance (2 million poor people)
 - Scratch the surface and you find conflict in taken-for-granted laws
 - disenfranchisement laws passed to avert the "menace of Negro domination" (Behrens, Uggen, Manza 2003)
 - Criminal deportations rise and fall with unemployment: US deports people when their labor is not needed (King, Massoglia, Uggen 2012)

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transition

- Structural theories: From Disorganization to Anomie and Opportunity to Marxian/Conflict
- Individual theories: Deterrence/Choice, Control, DA, Drift, Labeling...
- Can they explain the gender gap?
 - Gender bias in study of delinquency
- gender gap & female delinquency

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Lecture 10b:
Gender & Feminist
Theories

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gender and crime

- Wild Historical Speculation & Blatant Sexism
 - Biology (Lombroso & Ferrero 1895):
 - Women's lesser crime due to their "piety, maternity, want of passion, sexual coldness, weakness and an undeveloped intelligence"
 - Psychology (Thomas' Unadjusted Girl 1923)
 - Wish for excitement via manipulating sexuality
 - Sex Roles (Pollack's "Chivalry" 1950)
 - Natural deceit, tied to sex act & menstruation
- Data? Big gap remains, but...
 - Convergence in property crimes since 1960 and (non-murder) violent crimes since mid-80s
 - Heimer and Lauritsen 2007: the risk for aggravated and simple assault has dropped substantially since the 1970s, but male rates of victimization have declined faster than female rates

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exercise

- Mixed-sex groups of 2-5 (at least one male per group)
- Discuss how gender may have affected your own contacts with police or other rule enforcers.
 - Did anyone invoke gender or sexuality as a resource in these encounters? How?
- On a sheet signed by all in the group, answer the following question: Does chivalry affect social control? Explain why it mattered or did not matter in your case.

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gender gap



- 3 Basic Explanations (Heimer 2000)
 - Liberation or Emancipation
 - But problems in timing and offenders' views
 - Decline of chivalry
 - But NCVS patterns mirror UCR. Small factor?
 - Economic marginalization
 - Better support - more FHHH in poverty, gender gap in wages, and rising inequality
- Can general theories explain female delinquency?
 - Learning, labeling and symbolic interactionism
 - Social control and self control
 - Anomie and opportunity

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Problems with "Just Add Girls and Mix" Approach (Meda Chesney-Lind)




- Gap due to context of male domination
 - oversocialization, enforcement of gender, and a sexual double standard in Juvenile Justice System
- Chesney-Lind's feminist model
 - Girls as likely victims of physical and sexual abuse
 - Victimiziers use juvenile justice to control the girls
 - Runaways commit theft and prostitution to survive
 - Sexuality as one of few (if not only) resources

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John Hagan's Power-Control Theory: Gender, Class, and Delinquency



- Positive social change -> unintended negative impact
- Class structure of domestic social control
- Patriarchal & egalitarian family structures

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    graph LR
      Gender --> PC[Parental control  
(esp. maternal)]
      Class --> PC
      PC --> TR[Taste for risk]
      TR --> PRP[Perceived risk of  
punishment]
      PRP --> PDB["(Petty?)  
Delinquent behavior"]
    
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Mixed evidence (Uggen 2000 example)

Table 2. Employment, Workplace Control, and Arrest by Class Categories

Parents' Class	Parents		Youth Work		Percent Youth Arrested		Diff.
	Freedom & Control	Percent Employed	Freedom & Control	Male	Female		
Employer (68)	8.1	87%	6.3	43%	9%	34%	
Petite Bourgeoisie (55)	7.9	75%	6.0	20%	12%	8%	
Manager (260)	7.3	78%	6.2	32%	13%	19%	
Worker (267)	6.3	72%	6.1	32%	8%	24%	
Surplus (72)	6.7	43%	6.4	28%	20%	8%	
χ^2 (d.f.)	141.5 (32)**	41.2 (4)**	24.2 (32)	3.4 (4)	3.4 (4)		
Gamma (γ)	-.36	-.32	.002	-.04	-.01		
F-ratio (d.f.)	25.0 (4)**		0.3 (4)				

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critique and extension

- Critique of Power-Control
 - Update on "liberalization"?
- Critique of Chesney-Lind
 - Why do males commit so much crime?
- Extension: James Messerschmidt Masculinities and crime
 - Toughness and willingness to use violence as central to masculine identity
 - Delinquency as a resource for doing gender or accomplishing masculinity
- RW Connell: macro gender order & micro gender relations
 - Maher: gender reproduced in families and on street

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Miller & Mullins on Feminist Theories in CWB

- Femcrim aims to reduce gender inequality, crime, and inequitable treatment of offenders, victims, and workers emerging from androcentric (male-centered) policies and practices in gendered institutions.
 - androcentric to ask why women commit less, (v. why men commit more)
 - "not particularly successful" in creating general theories
- Doing gender: crime as resource for performing & accomplishing gender (see Rios)
- Blurred boundaries of victimization and offending
 - E.g., male violence as direct, instrumental, physical; female violence as indirect, expressive, relational
 - Role of romantic connection in gaining entrée to associates
- P. 236 - masculinities (Cohen subcultural approach)

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Igbtq & juvenile justice

- Estimated 6% of youth population but 13-15% of youth in juvenile justice (Holsinger & Hodge 2014)
- National Youth in Custody Survey (Wilson et al. 2017)
 - 39% of girls (+19% "mostly straight")
 - 3% of boys (+4% "mostly straight")
 - Higher sexual victimization by staff for boys (15% for GB boys)
 - trans data limited
- Theory of control & resistance?

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Rios Ch. 5 "Dummy Smart"

- Low social & cultural capital -> "misrecognition"
 - "organic capital" didn't help with jobs (Ronnie @ steakhouse; handshake w/ white woman), but OK for selling pirate DVDs
- Crimes of resistance (Quinney)
 - "irrational" - breaking small rules
 - respect: Flaco's chips (p.106), police (p. 111), chess
 - resistance -> crisis of control (success!)
- Dummy smart (Darius p.113), code-switching
 - Infrapolitics-> empowerment; "deviant politics" of hyphy (hyperactive, dumb, crazy), yellow bus
 - Oppositional consciousness -> activism (9 of 40)

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Rios 6: Proving Manhood

- Messerschmidt: masculinity challenges
 - P. 128-9: Doing gender through crime
 - Can't look weak or "act like a little bitch"
 - Homophobia: Guns as metaphor
- Criminalization -> gendered practices
 - police to Spider: be a man, get a job! support family
 - Choice: passive & compliant OR hard & defiant
 - Hypermasculinity: exaggerated exhibition of physical strength and aggression
 - Girls "caught between good and ghetto"
- Class-based: where are good blue-collar jobs?
 - "pimp a bitch" as exploitative alternative

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Next: Prevention and Introduction to Juvenile Justice

- A. Greenwood, Peter. 2008. "Prevention and Intervention Programs for Juvenile Offenders." *The Future of Children* 18:185-210.
- Sullivan, Christopher, Alex R. Piquero, and Francis T. Cullen. 2012. "Like Before, But Better: The Lessons of Developmental, Life-Course Criminology for Contemporary Juvenile Justice." *Victims and Offenders* 7:450-71.
- [Local] Schaefer, Shelly, and Christopher Uggen. 2016. "Blended Sentencing Laws and the Punitive Turn in Juvenile Justice." *Law & Social Inquiry* 41:435-63.
- B. 11/15 Paper Drafts Due: Workshop (Chelsea Carlson) (ASC Meetings)

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