

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





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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” – change + matter
 - Social classes and class conflict
 - A new typology (Richard Quinney 1977)
 - Crimes of domination & repression by agents of capitalist owners (e.g., police violence) (excerpt)
 - Crimes of accommodation by working class to survive (e.g., theft)
 - Crimes of resistance by working class (e.g., revolt)

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• **Critique of (Mainstream) Criminology**

Economic system of capitalism

→ Class divisions & struggles →

Overt & covert use of power to control powerless

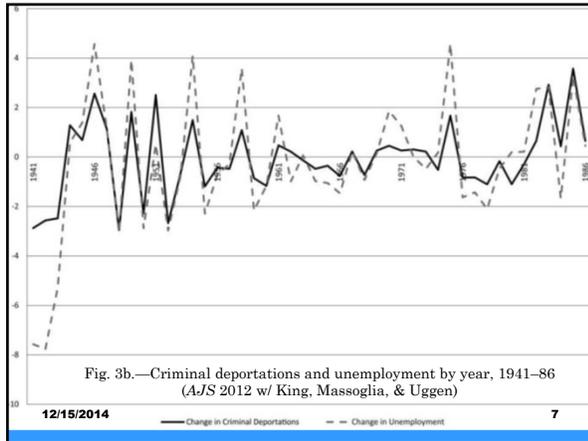
→

Juvenile delinquency as accommodation to controls or as direct criminalization

(e.g., theft, truancy, looting?)

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critique

- **Critique**
 - Explaining criminal behavior? (not rulemaking)
 - General consensus on rankings of crime severity
 - “Instrumental” (tool of capital) model oversimplified
 - Hard to find anything recognizably Marxian in some recent critical theory
- **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

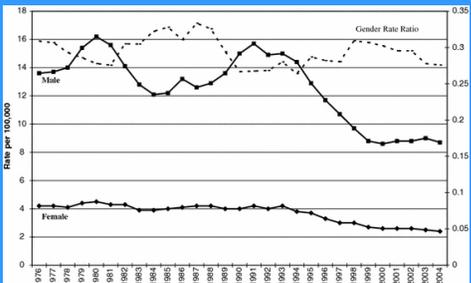
- **Wild Historical Speculation & Blatant Sexism**
 - **Biology (Lombroso & Ferrero 1895):**
 - Women's lesser crime due to their "piety, maternity, want of passion, sexual coldness, weakness and an undeveloped intelligence"
 - **Psychology (Thomas' Unadjusted Girl 1923)**
 - Wish for excitement via manipulating sexuality
 - **Sex Roles (Pollak'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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Lauritsen & Heimer (2009) (homicide)



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breakout

- **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?
- **Submit notes with names in chat: Does chivalry affect social control? Explain why it mattered or did not matter in your case.**

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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 (real wages, gig economy)
- 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)
 - Bourdieu – right (punishment, finance) & left (social services) hand of the state

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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 (of cishet male delinquency) 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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Feminist (Miller & Mullins 2006) & Queer Theories (Panfil 2018)

- **Feminist crim 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)
 - 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
- **LGBTQ+ (Panfil 2018)**
 - Criminalization (e.g., sodomy laws), survival crimes
 - Overrepresented as victims and youth in system
 - Straight, hybrid, and gay gangs

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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 p.100 @ 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 Intro to Juv Justice
11/18 Lecture on Zoom (see Canvas)
Drafts Due to Exchange Partner 11/22

- **A. Greenwood, Peter. 2008. “Prevention and Intervention Programs for Juvenile Offenders.” The Future of Children 18:185-210.**
 - [Local] Schaefer, Shelly and Christopher Uggen. 2016. “Blended Sentencing Laws and the Punitive Turn in Juvenile Justice.” Law & Social Inquiry 41:435-63.
 - (Honors): 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.
- **B. 11/18 Paper Drafts Due to Partner 11/22: Workshop**
 - Zahn, Margaret A., Jacob C. Day, Sharon F. Mihalic and Lisa Tichavsky. 2009. “Determining What Works for Girls in the Juvenile Justice System.” Crime & Delinquency 55:266-93.
 - Fader, Jamie J. and Megan H. Shaud. 2021. “Challenging Heteronormative Practices in the Juvenile Justice System.” Temple Public Policy Lab.
 - (Honors): Angela Irvine-Baker, Nikki Jones, Aisha Canfield. 2019. “Taking the “Girl” Out of Gender-Responsive Programming.” Annual Review of Criminology 2019:211, 321-336.

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