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

evals
- MORE: interactive; group table discussion; different students participating (full class); progress grades; theory applied to current events; small assignments; readings (?); examples; own research; dad jokes
  - liked grading by ID, passion; split on study guide
- LESS: graphs; groups; lecturing; difficult; review from soc 3101
- SPLIT: groups; graphs; theory; current events; review of basics;
- ANNOY: says “uh”; 4th class of day
- Prefer essays; short answer; IDs

top quotes
- “Essays worth more”
- “Like a dad and actually cares”
- “Your hair impresses me more than it should.”
- “Biased sometimes but in a good way- informed bias which he is able to explain/prove”
- Not Beavis, but David Spade or Chris Jericho
- “The thing I find annoying he can’t control, so I won’t point it out because it’s mean”
- “Keep doing you, Boss-man.”
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

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

- 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)
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)

Radical Criminology: Lynch, Schwendinger, & Schwendinger in CWB

- Environmental harms as crime (e.g., lead)
- Economic structures
  - Rusche-Kirchheimer 1939 on incarceration [chart]
  - 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

Fig. 3b.—Criminal deportations and unemployment by year, 1941–86 (AJS 2012 w/ King, Massoglia, & Uggen)
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, Messaglia, Uggen 2012)

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

Lecture 10b:
Gender & Feminist Theories
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

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.

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
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
  -Victimizers use juvenile justice to control the girls
  - Runaways commit theft and prostitution to survive
  - Sexuality as one of few (if not only) resources

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

Mixed evidence (Uggen 2000 example)

<table>
<thead>
<tr>
<th>Parents’ Class</th>
<th>Freedom &amp; Control</th>
<th>Percent Employed</th>
<th>Youth Work</th>
<th>Percent Youth Arrested</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employer (60)</td>
<td>8.1</td>
<td>87%</td>
<td>6.3</td>
<td>43% 9% 34%</td>
</tr>
<tr>
<td>petite bourgeoisie (55)</td>
<td>7.9</td>
<td>75%</td>
<td>6.0</td>
<td>20% 12% 0%</td>
</tr>
<tr>
<td>Manager (200)</td>
<td>7.3</td>
<td>78%</td>
<td>6.2</td>
<td>32% 13% 19%</td>
</tr>
<tr>
<td>Worker (267)</td>
<td>6.3</td>
<td>72%</td>
<td>6.1</td>
<td>32% 8% 24%</td>
</tr>
<tr>
<td>Surplus (72)</td>
<td>6.7</td>
<td>45%</td>
<td>6.4</td>
<td>20% 20% 0%</td>
</tr>
</tbody>
</table>

** χ² (df) 14.5 (23)**

<table>
<thead>
<tr>
<th>χ² (df)</th>
<th>24.2 (32)**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gamma</td>
<td>-0.36 (.02)</td>
</tr>
<tr>
<td>F ratio</td>
<td>25.0 (4)**</td>
</tr>
</tbody>
</table>

Chris Uggen - Soc 4141
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

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)

Lgbtq & 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?
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)

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

Next: Prevention and Introduction to Juvenile Justice

- B. 11/14 Paper Drafts Due: Workshop (Abby L.) (ASC Meetings)