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

On to the papers!

• Options: Syllabus pp 8-9
  – (1) Uggen's 8-10-page paper assignment or
  – (2) a shorter paper based on service learning experiences,
    (research helps here too, though)
  – (3) an article-length research paper or grant proposal on a
    topic negotiated with Uggen and teaching assistant

• 4/13 – paper draft due
  – Bring hard/paper copy to class; draft is fine
  – Clarity, specificity, appropriateness criteria
  – 5 academic sources; ASA citation style preferred

• 4/20 – papers due (early is OK), but *keep a copy*

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 accommodation to controls or as direct criminalization

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 (today)
- Convict Criminology (today)

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
  - 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
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)

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)

Fig. 3b.—Criminal deportations and unemployment by year, 1941–86  
(AJS 2012 w/ King, Massoglia, & Uggen)
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 "plenty, 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
  - Decline of chivalry
  - 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

Gender

Parental control (esp. maternal) ➔ Taste for risk ➔ Perceived risk of punishment ➔ (Petty?) Delinquent behavior

Mixed evidence (Uggen 2000 example)

<table>
<thead>
<tr>
<th>Parents' Class</th>
<th>Percent Employed</th>
<th>Freedom &amp; Control</th>
<th>Male</th>
<th>Female</th>
<th>DIFF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employer (60)</td>
<td>8.1%</td>
<td>87%</td>
<td>6.3</td>
<td>43%</td>
<td>9%</td>
</tr>
<tr>
<td>Petty Bourgeoisie (52)</td>
<td>7.9%</td>
<td>75%</td>
<td>6.0</td>
<td>20%</td>
<td>12%</td>
</tr>
<tr>
<td>Manager (269)</td>
<td>7.3%</td>
<td>79%</td>
<td>6.2</td>
<td>32%</td>
<td>13%</td>
</tr>
<tr>
<td>Worker (297)</td>
<td>6.3%</td>
<td>72%</td>
<td>6.1</td>
<td>32%</td>
<td>8%</td>
</tr>
<tr>
<td>Surplus (72)</td>
<td>6.7%</td>
<td>49%</td>
<td>4.4</td>
<td>28%</td>
<td>20%</td>
</tr>
</tbody>
</table>

\( z^2 \) (d.f.)

|                | 141.5 (32)**    | 41.2 (4)**        | 24.2 (32) | 3.4 (4) | 3.4 (4) |

\( \Gamma \) (d.f.)

|                | -.58            | -.32              | .802      | -.04    | .81    |

\( F \)-ratio (d.f.)

|                | 25.0 (4)**      | 6.2 (4)           |

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 a 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 entre to associates
- P. 236 – masculinities (Cohen subcultural approach)

Rios Ch. 5 “Dummy Smart”

- Low social & cultural capital -> “misrecognition”
  - “Organic capital” didn’t help with jobs (Ronnie at 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
  - 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