6

Critical Theories: Marxist, Conflict, and Feminist

At the heart of the theories in this chapter is social stratification by class and power, and they are the most "politicized" of all criminological theories. Sanyika Shakur, aka Kody Scott, came to embrace this critical and politicized view of society as he grew older and converted to Afrocentric Islam. Shakur was very much a member of the class Karl Marx called the "lumpenproletariat" (a German word meaning "rag proletariat"), which is the very bottom of the class hierarchy. Many critical theorists would view Shakur's criminality as justifiable rebellion against class and racial exploitation. Shakur wanted all the material rewards of American capitalism, but he perceived that the only way he could get them was through crime. He was a total egoist, but many Marxists would excuse this as a trait that is nourished by capitalism, the "root cause" of crime. From his earliest days, he was on the fringes of a society he clearly disdained. He frequently referred to whites as "Americans" to emphasize his distance from them, and he referred to black cops as "Negroes" to distinguish them from the "New African Man." He called himself a "student of revolutionary science" and "rebellion," and advocated a separate black nation in America.

Conflict concepts dominated Shakur's life as he battled the Bloods as well as other Crips "subsets" whose interests were at odds with his set. It is easy to imagine his violent acts as the outlets of a desperate man struggling against feelings of class and race inferiority. Perhaps he was only able to achieve a sense of power when he held the fate of another human being in his hands. His fragile narcissism often exploded into violent fury whenever he felt himself being "dissed." How much of Shakur's behavior and the behavior of youth gangs in general are explained by the concepts of critical theories? Is violent conflict a justifiable response to class and race inequality in a democratic society, or are there more productive ways to resolve such conflicts?
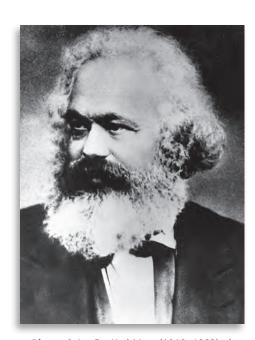
⌖ The Conflict Perspective of Society

Although all sociological theories of crime contain elements of social conflict, consensus theories tend to judge alternative normative systems from the point of view of mainstream values, and they do not call for major restructuring of society. Theories presented in this chapter do just that, and concentrate on power relationships as explanatory variables to the exclusion of almost everything else. They view criminal behavior, the law, and the penalties imposed for breaking it, as originating in the deep inequalities of power and resources existing in society. For conflict theorists, the law is not a neutral system of dispute settlement designed to protect everyone, but rather the tool of the privileged who criminalize acts that are contrary to their interests.

You don't have to be a radical or even a liberal to acknowledge that great inequalities of wealth and power exist in every society and that the wealthy classes have the upper hand in all things. History is full of examples: Plutarch wrote of the conflicts generated by disparity in wealth in Athens in 594 B.C. (Durant & Durant, 1968, p. 55), and U.S. President John Adams (1778/1971) wrote that American society in the late 18th century was divided into "a small group of rich men and a great mass of poor engaged in a constant class struggle" (p. 221).

⌖ Karl Marx and Revolution

Karl Marx is the father of critical criminology. The core of Marxism is the concept of **class struggle:** "Freeman and slave, patrician and plebian, lord and serf, guildmaster and journeyman, in a word, oppressor and oppressed, stood in constant opposition to one another" (Marx & Engels, 1948, p. 9). The oppressors in Marx's time were the owners of the means of production (the **bourgeoisie**), and the oppressed were the workers (the **proletariat**). The bourgeoisie strives to keep the cost of labor at a minimum, and the proletariat strives to sell its labor at the highest possible price. These opposing goals are the major source of conflict in a capitalist society. The bourgeoisie enjoys the upper hand because capitalist societies have large armies of unemployed workers eager to secure work at any price, thus driving down the cost of labor. According to Marx, these economic and social arrangements—the material conditions of people's lives—determine what they will know, believe, and value, and how they will behave.

Marx and his collaborator Friedrich Engels (1948) were disdainful of criminals, describing them in terms that would make a New York cop proud: "The dangerous class, the social scum, that rotting mass thrown off by the lowest layers of the old society" (p. 22). These folks came from a third class in society—the **lumpenproletariat**—who would play no decisive role in the expected revolution. For Marx and Engels (1965) crime was simply the product of unjust and alienating social conditions—"the struggle of the isolated individual against the prevailing conditions" (p. 367). This became known as the **primitive rebellion hypothesis,** one of the best modern statements of which is Bohm's (2001): "Crime in capitalist societies is often a rational response to the circumstances in which people find themselves" (p. 115).

▲ **Photo 6.1**   For Karl Marx (1818–1883), the resolution of social problems such as crime would be achieved through the creation of a socialist society characterized by communal ownership of the means of production and an equal distribution of the fruits of these labors.

Another concept that is central to critical criminology is alienation (Smith & Bohm, 2008). **Alienation** is a condition that describes the distancing of individuals from something. For Marx, most individuals in capitalist societies were alienated from work (which they believed should be creative and enjoyable), which led to alienation from themselves and from others. Work is central to Marx's thought because he believed that while nonhuman animals instinctively act on the environment *as given* to satisfy their immediate needs, humans distinguish themselves from them by consciously *creating* their environment instead of just submitting to it. Alienation is the result of this discord between one's *species being* and one's behavior (e.g., mindlessly noncreative work as opposed to creative work). Marx thought that wage-labor dehumanizes human beings by taking from them their creative advantage over other animals—robbing them of their species being (in effect, their human nature) and reducing them to the level of animals.

When individuals become alienated from themselves, they become alienated from others and from their society in general. Alienated individuals may then treat others as mere objects to be exploited and victimized as they themselves are supposedly exploited and victimized by the capitalist system. Since the great majority of workers do not experience their work as creative activity, they are all dehumanized ritualists or conformists (to borrow from Merton's modes of adaptation). If we accept this notion, then perhaps one can view criminals as heroic rebels struggling to rehumanize themselves, as some Marxist criminologists have done.

Willem Bonger: The First Marxist Criminologist

Dutch criminologist Willem Bonger's *Criminality and Economic Conditions* (1905/1969) is the first work devoted to a Marxist analysis of crime. For Bonger, the roots of crime lay in the exploitative and alienating conditions of capitalism, although some individuals are at greater risk for crime than others because people vary in their "innate **social sentiments**"—*altruism* (an active concern for the well-being of others) and its opposite, *egoism*—(a concern only for one's own selfish interests). Bonger believed that capitalism generates egoism and blunts altruism because it relies on competition for valuable resources, setting person against person and group against group, leaving the losers to their miserable fates. Thus, all individuals in capitalist societies are infected by egoism, and all are therefore prone to crime—the poor out of economic necessity, the rich and the middle classes from pure greed. Poverty was a major cause of crime for Bonger, but it worked by way of its effects on family structure (broken homes) and poor parental supervision of their children. Because of his emphasis on family structure and what he saw as the moral deficits of the poor, Bonger has been criticized by other Marxists, but he firmly believed that only by transforming society from capitalism to socialism would it be possible to regain the altruistic sentiment and reduce crime.

Modern Marxist Criminology

Contrary to Marx, modern Marxist criminologists tend to excuse criminals. William Chambliss (1976) views some criminal behavior as "no more than the 'rightful' behavior of persons exploited by the extant economic relationships" (p. 6), and Ian Taylor (1999) sees the convict as "an additional victim of the routine operations of a capitalist system—a victim, that is of 'processes of reproduction' of social and racial inequality" (p. 151). David Greenberg (1981) even elevated Marx's despised lumpenproletariat to the status of revolutionary leaders: "[C]riminals, rather than the working class, might be the vanguard of the revolution" (p. 28). Marxist criminologists also appear to view the class struggle as the *only* source of *all* crime and to view "real" crime as violations of human rights, such as racism, sexism, imperialism, and capitalism, and accuse other criminologists of being parties to class oppression. Tony Platt even wrote that "it is not too far-fetched to characterize many criminologists as domestic war criminals" (quoted in Siegel, 1986, p. 276).

In the 1980s, Marxists calling themselves **left realists** began to acknowledge that predatory street crime is a *real* source of concern among the working class, who are the primary victims of it. Left realists understood that they have to translate their concern for the poor into practical, *realistic* social policies. This theoretical shift signals a move away from the former singular emphasis on the political economy to embrace the interrelatedness of the offender, the victim, the community, and the state in the causes of crime. It also signals a return to a more orthodox Marxist view of criminals as people whose activities are against the interests of the working class as well as those of the ruling class. Although unashamedly socialist in orientation, left realists have been criticized by more traditional Marxists who see their advocacy of solutions to the crime problem within the context of capitalism as a sellout (Bohm, 2001).

⊠ Conflict Theory: Max Weber, Power and Conflict

In common with Marx, Max Weber (1864–1920) saw societal relationships as best characterized by conflict. They differed on three key points, however: First, while Marx saw cultural ideas as molded by the economic system, Weber saw a culture's economic system being molded by its ideas. Second, whereas Marx emphasized economic conflict between only two social classes, Weber saw conflict arising from multiple sources, with economic conflict often being subordinate to other conflicts. Third, Marx envisioned the end of conflict with the destruction of capitalism, while Weber contended that it will always exist, regardless of the social, economic, or political nature of society, and that it was functional because of its role in bringing disputes into the open for public debate.

Even though individuals and groups enjoying great wealth, prestige, and power have the resources necessary to impose their values on others with fewer resources, Weber viewed the various class divisions in society as normal, inevitable, and acceptable, as do many contemporary conflict theorists (Curran & Renzetti, 2001). As opposed to Marx's concentration on two great classes (the bourgeoisie and the proletariat) based only on economic interests, Weber focused on three types of social group that form and dissolve as their interests change—class, party, and status. A *class* group shares only common economic interests, and *party* refers to political groups. *Status* groups were the only truly social groups because members hold common values, live common lifestyles, and share a sense of belonging. For Weber, the law is a resource by which the powerful are able to impose their will on others by criminalizing acts that are contrary to their class interests. Because of this, wrote Weber, "criminality exists in all societies and is the result of the political struggle among different groups attempting to promote or enhance their life chances" (quoted in Bartollas, 2005, p. 179).

George Vold produced a version of conflict theory that moved conflict away from an emphasis on value and normative conflicts (as in the Chicago ecological tradition) to include conflicts of interest. Vold saw social life as a continual struggle to maintain or improve one's own group's interests—workers against management, race against race, ecologists against land developers, and the young against adult authority—with new interest groups continually forming and disbanding as conflicts arise and are resolved. Conflicts between youth gangs and adult authorities were of particular concern to Vold, who saw gangs in conflict with the values and interests of just about every other interest group, including those of other gangs (as in the Crips versus the Bloods, for example). Gangs are examples of **minority power groups,** or groups whose interests are sufficiently on the margins of mainstream society that just about all their activities are criminalized. Minority power groups are excellent examples of Weber's status groups in which status

depends almost solely on adherence to a particular lifestyle: "Status honour is normally expressed by the fact that above all else a specific *style of life* is expected from all those who wish to belong to the circle" (Weber, 1978, p. 1028).

We have already discussed this kind of status group in terms of young males in so-called honor subcultures who literally risk life and limb in the pursuit of status as it is defined in those subcultures. Vold's theory concentrates entirely on the clash of individuals loyally upholding their differing group interests, and is not concerned with crimes unrelated to group conflict.

Like Weber, Vold viewed conflict as normal and socially desirable. Conflict is a way of assuring social change, and in the long run, a way of assuring social stability. A society that stifles conflict in the name of order stagnates and has no mechanisms for change short of revolution. Since social change is inevitable, it is preferable that it occur peacefully and incrementally (evolutionary) rather than violently (revolutionary). Even the 19th-century arch conservative British philosopher Edmund Burke saw that conflict is functional in this regard, writing that "A state without the means of some change is without means of its conservation" (quoted in Walsh & Hemmens, 2000, p. 214).

Conflict criminology differs from Marxist criminology in that it concentrates on the *processes* of value conflict and lawmaking rather than on the social structural elements underlying those things. It is also relatively silent about how the powerful got to be powerful and makes no value judgments about crime (Is it the activities of "social scum" or of "revolutionaries"?); conflict theorists simply analyze the power relationships underlying the act of criminalization.

Because Marxist and conflict theories are frequently confused with one another, Table 6.1 summarizes the differences between them on key concepts.

Table 6.1   **Comparing Marxist and Conflict Theory on Major Concepts**

Concept	Marxist	Conflict
Origin of conflict	It stems from the powerful oppressing the powerless (e.g., the bourgeoisie oppressing the proletariat under capitalism).	It is generated by many factors, regardless of the political and economic system.
Nature of conflict	It is socially bad and must and will be eliminated in a socialist system.	It is socially useful and necessary and cannot be eliminated.
Major participants in conflict	The owners of the means of production and the workers are engaged in the only conflict that matters.	Conflict takes place everywhere, between all sorts of interest groups.
Social class	Only two classes are defined by their relationship to the means of production, the bourgeoisie and proletariat. The aristocracy and the lumpenproletariat are parasite classes that will be eliminated.	There are a number of different classes in society defined by their relative wealth, status, and power.
Concept of the law	It is the tool of the ruling class that criminalizes the activities of the workers harmful to its interests and ignores its own socially harmful behavior.	The law favors the powerful, but not any one particular group. The greater the wealth, power, and prestige a group has, the more likely the law will favor it.

(Continued)

Table 6.1	(Continued)	
Concept	**Marxist**	**Conflict**
Concept of crime	Some view crime as the revolutionary actions of the downtrodden, others view it as the socially harmful acts of "class traitors," and others see it as violations of human rights.	Conflict theorists refuse to pass moral judgment because they view criminal conduct as morally neutral with no intrinsic properties that distinguish it from conforming behavior. Crime doesn't exist until a powerful interest group is able to criminalize the activities of another less powerful group.
Cause of crime	The dehumanizing conditions of capitalism. Capitalism generates egoism and alienates people from themselves and from others.	The distribution of political power that leads to some interest groups being able to criminalize the acts of other interest groups.
Cure for crime	With the overthrow of the capitalist mode of production, the natural goodness of humanity will emerge, and there will be no more criminal behavior.	As long as people have different interests and as long as some groups have more power than others, crime will exist. Since interest and power differentials are part of the human condition, crime will always be with us.

⊠   Peacemaking Criminology

Peacemaking criminology is a fairly recent addition to the growing number of theories in criminology and has drawn a number of former Marxists into its fold. It is situated squarely in the postmodernist tradition (a tradition that rejects the notion that the scientific view is better than any other view, and which disparages the claim that any method of understanding can be objective). In its peacemaking endeavors, it relies heavily on "appreciative relativism," a position that holds that all points of view, including those of criminals, are relative, and all should be appreciated. It is a compassionate and spiritual criminology that has much of its philosophical roots in humanistic religion.

▲ **Photo 6.2**   The friendly presence of police at a large ethnic festival demonstrates the peacekeeping approach to crime prevention.

Peacemaking criminology's basic philosophy is similar to the 1960s hippie adage, "Make love, not war," without the sexual overtones. It shudders at the current "war on crime" metaphor and wants to substitute "peace on crime." The idea of making peace on crime is perhaps best captured by Kay Harris (1991) when she writes that we

need to reject the idea that those who cause injury or harm to others should suffer severance of the common bonds of respect and concern that bind members of a community. We should relinquish the notion that it is acceptable to try to "get rid of" another person whether through execution, banishment, or caging away people about whom we do not care. (p. 93)

While recognizing that many criminals should be incarcerated, peacemaking criminologists aver that an overemphasis on punishing criminals escalates violence. Richard Quinney (1975) has called the American criminal justice system the moral equivalent of war and notes that war naturally invites resistance by those it is waged against. He further adds that when society resists criminal victimization, it "must be in compassion and love, not in terms of the violence that is being resisted" (quoted in Vold, Bernard, & Snipes, 1998, p. 274).

In place of imprisoning offenders, peacemaking criminologists advocate **restorative justice,** which is basically a system of mediation and conflict resolution. Restorative justice is primarily oriented toward justice by repairing the harm caused by the crime and typically involves face-to-face confrontations between victim and perpetrator to arrive at a mutually agreeable solution to "restore" the situation as much as possible to what it was before the crime (Champion, 2005). Restorative justice has been applauded because it humanizes justice by bringing victim and offender together to try to correct the wrong done, usually in the form of written apologizes and payment of restitution. Although developed for juveniles and primarily confined to them, restorative justice has also been applied to nonviolent adult offenders in a number of countries in addition to the United States. The belief behind restorative justice is that, to the extent that both victim and victimizer come to see that justice is attained when a violation of one person by another is made right by the violator, the violator will have taken a step toward reformation and the community will be a safer place in which to live.

⊠ Evaluation of Critical Theories

It is often said that Marxist theory has very little that is unique to add to criminology theory: "When Marxist theorists offer explanations of crime that go beyond simply attributing the causes of all crime to capitalism, they rely on concepts taken from the same 'traditional' criminological theories of which they have been so critical" (Akers, 1994, p. 167). Marxists tend to ignore empirical studies, preferring historical, descriptive, and illustrative research. The tendency to romanticize criminals as revolutionaries has long been a major criticism of Marxist criminologists, although because of the influence of left realists they are less likely to do this today.

Can Marxists claim support for their argument that capitalism causes crime and socialism "cures" it? It may be true that capitalist countries in general have higher crime rates than socialist countries, but the question is whether the Marxist interpretation is correct. Lower crime rates in socialist societies may have more to do with repressive law enforcement than with any altruistic qualities intrinsic to socialism.

Marxist criminology also seems to assume that the conditions prevailing in Marx's time still exist today in advanced capitalist societies. People from all over the world have risked everything to get into capitalist countries because those countries are where human rights are most respected and human needs most readily accessible. Left realism realizes this and is more the reform-minded "practical" wing of Marxism than a theory of crime that has anything special to offer criminology. Indeed, "working within the system" has produced numerous changes in American society that used to be considered socialist, such as those mentioned under the policy implications of institutional anomie theory in Chapter 4.

Conflict theory is challenging and refreshing because its efforts to identify power relationships in society have applications that go beyond criminology. But there are problems with it as a theory of criminal behavior. It has even been said that "[c]onflict theory does not attempt to explain crime; it simply identifies social conflict as a basic fact of life and a source of discriminatory treatment" (Adler, Mueller, & Laufer, 2001, p. 223).

Conflict theory's assumption that crime is just a "social construct" without any intrinsic properties diminishes the suffering of those who have been assaulted, raped, robbed, and otherwise victimized. These acts *are* intrinsically bad (mala in se) and are not arbitrarily criminalized because they threaten the privileged world of the powerful few. Humans worldwide react with anger, grief, and a desire for justice when they or their loved ones are victimized by a mala in se crime. There is wide agreement among people of various classes in the United States and around the world about what crimes are—laws exist to protect everyone, not just "the elite" (Walsh & Ellis, 2007).

Peacemaking criminology urges us to make peace on crime, but what does such advice actually mean? As a number of commentators have pointed out, "being nice" is not enough to stop others from hurting us (Lanier & Henry, 2010). It is undoubtedly true that the reduction of human suffering and achieving a truly just world will decrease crime, as advocates of this position contend, but they offer us no notion of how this can be achieved beyond counseling that we should appreciate criminals' points of view and not be so punitive.

◼ Policy and Prevention: Implications of Critical Theories

The policy implications of Marxist theory are straightforward: Substitute socialism for capitalism and crime will be reduced. Modern Marxists realize that this is unrealistic, a fact underlined for them by the collapse of Marxist states across Eastern Europe. They also realize that the emphasis on a single cause of crime (the class struggle) and romanticizing criminals is equally unrealistic. Rather than throw out their entire ideological agenda, left realists now temper their views while still maintaining their critical stance toward the "system." Policy recommendations made by left realists have many things in common with those made by ecological, anomie, and routine activities theorists. Community activities, neighborhood watches, community policing, dispute resolution centers, and target hardening are among the policies suggested.

Because crime is viewed as the result of conflict between interest groups with power and wealth differences, and since conflict theorists view conflict and the existence of social classes as normal, it is difficult to recommend policies *specifically* derived from conflict theory. We might logically conclude from this view of class and conflict that if these things are normal and perhaps beneficial, then so is crime in some sense. If we want to reduce crime, we should equalize the distribution of power, wealth, and status, thus reducing the ability of any one group to dictate what is criminalized. Generally speaking, conflict theorists favor programs such as minimum wage laws, sharply progressive taxation, a government-controlled comprehensive health care system, paid maternal leave, and a national policy of family support as a way of reducing crime (Currie, 1989).

◼ Feminist Criminology

The Concepts and Concerns of Feminist Criminology

Feminist criminology sits firmly in the critical/conflict camp of criminology. Feminists see women as oppressed both by gender inequality (their social position in a sexist culture) and by class inequality (their economic position in a capitalist society). But there is no one feminist positions on crime or on anything else. Some feminists believe the answer to women's oppression is the overthrow of the two-headed monster—capitalism and patriarchy; others simply seek reform. In the meantime, they all want to be able to interpret female crime from a feminist perspective.

The core concept of most feminist theorizing is patriarchy. **Patriarchy** literally means "rule of the father," and is a term used to describe any social system that is male dominated at all levels, from the family to the highest reaches of government, and supported by the belief of male superiority. A patriarchal society is one in which "masculine" traits such as competitiveness, aggressiveness, autonomy, and individualism are valued, and "feminine" traits such as intimacy, connection, cooperation, nurturance, while appreciated, are downplayed (Grana, 2002). Sociologist Joan Huber (2008) looks at the origins of patriarchy in the different reproductive roles of the sexes, with our ancestral mothers caught in a continuous cycle of gestation and lactation that has barred women from public life, first by virtue of their reproductive role, and later also by customs and laws that justified their exclusion. Huber maintains that to understand gender differences in almost any behavior, we must understand its evolutionary logic.

Feminist criminologists wrestle with two major concerns, the first being, "Do traditional male-centered theories of crime apply to women?" This is known as the **generalizability problem,** which has been defined as "the quest to find theories that account equally for male and female offending" (Irwin & Chesney-Lind, 2008, p. 839).

Many feminist criminologists have concluded that male-centered theories have limited applicability to females because they focus on male frustration in their efforts to obtain success goals (status, resources) and ignore female relationship goals (marriage, family) (Leonard, 1995). Some feminist scholars believe that no feminist-specific general theory is possible and that they must be content to focus on crime-specific "mini-theories" (K. Daly & Chesney-Lind, 2002).

An example is Meda Chesney-Lind's (1995) concept of *criminalizing girls' survival* in which she describes a sequence of events related to efforts of parents and social control agents to closely supervise girls, and notes that girls are more likely than boys to be reported for status offenses. She also notes that girls are more likely to be sexually abused than boys, that their assailants are more likely to be family members, and that a likely response is for girls to run away from home. When girls run away from such homes, they are returned by paternalistic juvenile authorities who feel it is their duty to "protect" them, which reinforces the girl's feeling that "nobody cares" and strengthens her resolve not to get caught again. When a girl is on the streets, she has to do something to survive: steal money, food, or clothing; use and sell drugs; and/or engage in prostitution, which may then become lifetime patterns of behavior. Chesney-Lind's point is that girls' victimization and their response to it are shaped by their status in a patriarchal society in which males dominate the family and define their daughters as property. Thus, patriarchy combines with paternalism to force girls to live "lives of escaped convicts."

Others wonder why a special feminist theory is needed, since most female offenders tend to be found in the same places as their male counterparts—i.e., among single-parent families located in poor, socially disorganized neighborhoods. Male and female crime rates increase or decrease together across different

▲ **Photo 6.3**   Girls who run away from home often find themselves on the streets where they are preyed upon and often forced into prostitution, shoplifting, and drug trafficking.

nations and communities, indicating that females are responsive to the same environmental conditions as males (Campbell, 2009). Individual-level correlates of male offending such as low self-control, low IQ, attention-deficit/hyperactivity disorder (ADHD), and so forth, are also correlated with female offending (Moffitt et al., 2001).

Thus, "Males and females are not raised apart and exposed to an entirely different set of developmental conditions" (Bennett, Farrington, & Huesmann, 2005, p. 280). Males and females may be affected to different degrees by the same risk factors, but criminogenic risk factors are still risk factors for both males and females (Steffensmeier & Haynie, 2000).

Given this evidence, K. Daly and Chesney-Lind (2002) ask, "why do such similar processes produce a distinctive, gender-based [male] structure to crime and delinquency?" (p. 270)—a question that leads us to the gender ratio problem, feminist criminologists' second major concern.

The **gender ratio problem** is this: "What explains the universal fact that women are far less likely than men to involve themselves in criminal activity?" (K. Daly & Chesney-Lind, 2002, p. 270). Eileen Leonard (1995) contends that the fact of huge gender differences in criminal behavior is not in dispute by feminists or anyone else: "Women have had lower rates of crime in *all nations,* in *all communities* within nations, for *all age groups,* for *all periods in recorded history,* and for practically *all crimes*" (p. 55). Why this is so has been called the "single most important fact that criminology theories must be able to explain" (Bernard, Snipes, & Gerould, 2010a, p. 299). Figure 6.1 shows percentages of males and females arrested for seven of the eight FBI index crimes (FBI, 2009) in 2008. There are about 9 males for every 1 female arrested for murder and robbery, but less than 2 males for every female arrested for larceny-theft. The more violent the offense, the more males dominate in its commission.

Women's Liberation and Crime

Two early attempts to address the gender ratio problem were Freda Adler's (1975) **masculinization hypothesis** and Rita Simon's (1975) **emancipation hypothesis,** both of which looked at the effect of the women's liberation movement (now simply called the women's movement) on female offending. In Adler's view, as females increasingly adopt "male" roles, they will increasingly masculinize their attitudes and behavior, and will thus become as crime-prone as men. Simon's view was that increased participation in the workforce affords women greater opportunities to commit job-related crime, and that there was no reason for them to first undergo Adler's masculinization. Neither hypothesis proved useful in explaining the gender crime ratio because male/female arrest rates have not varied by more than 5 percentage points over the past 40 years (Campbell, 2009).

Another interpretation linking women's liberation to female crime is the **economic marginalization hypothesis.** This perspective argues that both Adler and Simon neglected to pay sufficient attention to patriarchy and the extent to which males control female labor and sexuality. Research has suggested that much of female crime is related to economic need, and that women's poverty and crime rates have risen together (Hunnicutt & Broidy, 2004). According to this hypothesis, both the increasing crime and poverty rates are indirectly related to the women's movement. Specifically, the woman's movement has generated efforts by women to free themselves from the power of men, but by doing so they have freed men from their traditional roles as providers. According to this hypothesis, the decline in male respect for women has led to a large increase in out-of-wedlock births and divorce. These things have led to female-headed households and the "feminization of poverty," which has led many women to engage in economically related crimes such as prostitution, drug sales, and shoplifting to support themselves (Reckdenwald & Parker, 2008).

Power-Control Theory

Despite doubts that a general feminist theory of criminal behavior is possible, there have been some attempts to formulate one, including John Hagan's (1989) power-control theory. **Power-control theory** views gender differences in antisocial behavior as a function of power differentials in the family, and states that these arise from the positions the spouses occupy in the workforce. Where fathers are the sole bread-winner and mothers are housewives and/or have menial jobs, a *patriarchal family* structure results, especially if the father is in a position of authority at work. The patriarchal family is one in which the workplace experiences are reproduced, and it is said to be "unbalanced" in favor of the father. Patriarchal families are viewed as granting greater freedom to boys to prepare them for traditional male roles, while daughters are socialized to be feminine, conforming, and domesticated.
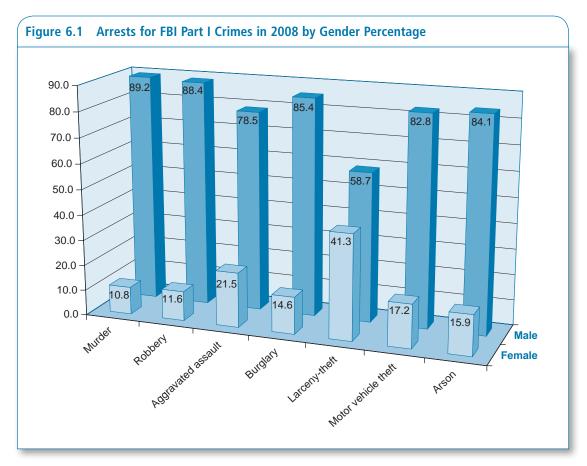
The *egalitarian family* develops in the absence of large differences between the work roles of parents and is one in which the responsibility for child rearing is shared. Power relations in such families are said to be "balanced," and parents socialize male and female children similarly. Similarity of treatment will tend to lead to sons and daughters developing similar traits, attitudes, and behaviors, which implies that girls from such families will have increased rates of delinquent involvement, similar to the rates for their male counterparts. Hagan (1989) claims that while there will be large gender differences in delinquency among children from patriarchal families, egalitarian families will show smaller gender differences. According to Siegel (1992), it is not only middle-class girls who will increase their offending: "Power-control theory, then, implies that middle-class youth of *both sexes* will have higher crime rates than their lower-class peers" (p. 270).

Structured Action Theory: "Doing Gender"

Central to James Messerschmidt's (1993) **structured action theory** is the concept of hegemonic masculinity, which is the cultural ideal of masculinity that men are expected to live up to. **Hegemonic masculinity** is "defined through work in the paid-labor market, the subordination of women, heterosexism, and the driven uncontrollable sexuality of men" (p. 82). Although it is about living up to masculine ideals and distancing the masculine self from femininity, hegemonic masculinity is also a way to maintain patriarchy (Connell & Messerschmidt, 2005).

For Messerschmidt (1993), gender is something males and females demonstrate and accomplish rather than something they automatically are by virtue of biological sex. "Doing gender" is an ongoing dynamic process by which males express their masculinity to audiences of both sexes so that it may be socially validated. This expression can take many forms according to culture and social context, which jointly informs males of the appropriate norms of masculine behavior. To project a positive masculine image to the world, a man must learn the relevant cultural definitions of masculinity. Traditional middle-class ways of doing masculinity (proving one's manhood) include being successful in a career, having and providing for a family, being a good protector, and projecting an aura of quiet dominance as well as physical and mental strength. When males cannot or will not strive to accomplish legitimate modes of doing gender, they develop alternative modes to accomplish the same result, such as engaging in crime (Merton's innovation mode of adaptation, discussed in Chapter 4). In lower-class cultures, this often involves violent confrontations over status issues because taking matters into one's own hands is seen as the only way to obtain "juice" (masculine status) on the street. Violent and criminal behavior can thus be used as a resource for accomplishing masculinity—for "doing gender."

Messerschmidt (2002) also theorizes about "doing femininity" among gang girls and women engaging in "bad girl femininity." Although violence is defined culturally as masculine behavior,

Figure 6.1   Arrests for FBI Part I Crimes in 2008 by Gender Percentage

SOURCE: FBI (2009a).

Messerschmidt asserts that if females engage in it, they are "not attempting increasingly to be masculine, but, rather, were engaging in physical violence authentically as girls and as a legitimate aspect of their femininity" (p. 465). Gang females do not consider themselves as masculine, then, but rather as "bad." Gang girls are emphatic about their feminine identity and are "very fussy over gender display (clothes, hair, makeup) and, thus, for the most part display themselves as feminine in 'culturally approved' ways" (p. 464).

Messerschmidt (2002) wants to show that gender is fluid and context specific, and that there is no incompatibility between "acting bad" and femininity. Girls and women fight to defend friends, the "hood," and "their man" from the poaching efforts of other females. He also wants to emphasize that the construction of a "badass" image is not a concern for gang females as it is among gang males, and that it is very much subordinate to constructing a feminine image. When females fight, they are contextually "doing masculinity" just as males contextually "do femininity" when "comforting and nurturing a fellow gang member" (p. 473).

Other Explanations

Both Hagan's and Messerschmidt's theories place sole reliance on socialization and gender roles to explain differences in male/female offending. Others attempt to explain it by saying that the genders differ in exposure to delinquent peers, that males are more influenced by them than females are, and that females have greater inhibitory morality (Mears, Ploeger, & Warr, 1998). Cullen and Agnew (2011) feel that statements such as these amount to nothing more than saying boys will be boys and girls will be girls, because they beg the questions of *why* males are more exposed to and more influenced by delinquent peers than females, and why females have a stronger sense of morality. A standard answer to these questions is that girls are more closely supervised than boys, but controlling for supervision level results in the same gender gap in offending (Gottfredson & Hirschi, 1990), and a meta-analysis of 172 studies found a non-significant tendency for girls to be *less* strictly supervised than boys (Lytton & Romney, 1991).

Bernard, Snipes, and Gerould (2010) note that socialist feminists (such as Joan Huber, noted earlier) have "argued that the natural reproductive differences between the sexes [ultimately] underlie male-female differences" (p. 290). These feminists agree with Dianna Fishbein (1992) that "[c]ross cultural studies do not support the prominent role of structural and cultural influences of gender-specific crime rates as the type and extent of male versus female crime remains consistent across cultures" (p. 100). They argue that because the magnitude of the gender gap varies across time and space and yet still remains constantly wide at all times and in all places, biological factors *must* play a large part (Bennett et al., 2005; Campbell, 2009). If only social factors accounted for gender differences, there should be a set of cultural conditions under which crime rates would be equal for both sexes (or even higher for females), but no such conditions have ever been found (Bernard et al., 2010). Feminists who include biological thinking in their theories assert that sex differences in dominance and aggression are seen in all human cultures from the earliest days of life and are observed in all primate and most mammalian species, and no one would evoke socialization to explain sex differences in these instances (Campbell, 2006; Hopcroft, 2009).

Neuroscientists have long shown that hormones organize the brain in male or female directions while we are still in our mother's womb (Amateau & McCarthy, 2004), and that this process organizes male brains in such a way that males become more vulnerable to the various traits associated with antisocial behavior (Ellis, 2003). Doreen Kimura (1992) tells us that that males and females come into this world with "differently wired brains," and these differences "make it almost impossible to evaluate the effects of experience [the socialization process] independent of physiological predisposition" (p. 119). Sarah Bennett and her colleagues (2005) agree, and explain the pathways from sex-differentiated brain organization to antisocial behavior:

> Males and females vary on a number of perceptual and cognitive information-processing domains that are difficult to ascribe to sex-role socialization. . . . [T]he human brain is either masculinized or feminized structurally and chemically before birth. Genetics and the biological environment in utero [in the womb] provide the foundation of gender differences in early brain morphology, physiology, chemistry, and nervous system development. It would be surprising if these differences did not contribute to gender differences in cognitive abilities, temperament, and ultimately, normal or antisocial behavior. (p. 273)

According to many theorists, the major explanation is gender differences in fear and empathy (females being higher on both), and that these traits are undergirded by testosterone and oxytocin (the "cuddle chemical"). Males have significantly more testosterone and females significantly more oxytocin (Hermans,

Putman, & van Honk, 2006). Higher testosterone equals less fear, and higher oxytocin equals greater empathy (Campbell, 2008; MacDonald & MacDonald, 2010). Shelly Taylor (2006) among others has shown how these neurohormones work against each other, and that their levels are ultimately linked to sex-differentiated evolutionary selection for nurturing behavior. No one claims that these substances are major risk (testosterone) factors for or protective (oxytocin) factors against committing criminal acts, only that they are major factors underlying gender differences in the propensity to commit such acts.

Anne Campbell's Staying Alive Hypothesis

Why do "differently wired brains" exist in the first place? Sex differences do not arise without an evolutionary reason behind them. Biologists note that sex differences in aggression and dominance seeking are related to *parental investment* (time and resources devoted to parental care), not biological sex per se. It is parental investment that provokes evolutionary pressures for the selection of the mechanisms that underlie these behaviors. In some bird and fish species, males contribute greater parental investment (e.g., incubating the eggs and feeding the young), and females take more risks, are more promiscuous and aggressive in courtship, have higher testosterone levels, and engage in violent competition for mates (Barash & Lipton, 2001). In these species, sex-related characteristics are the opposite of those found in species in which females assume all or most of the burden of parenting (the vast majority of species).

Anne Campbell (1999), who describes herself as a liberal evolutionary feminist, has attempted to account for the gender ratio problem using the logic of evolutionary theory in her **staying alive hypothesis.** Her hypothesis is based on the traits of nurturing and fear coupled with male status concerns. Campbell argues that because the *obligatory* parental investment of females is greater than that of males, and because of the infant's greater dependence on the mother, a mother's presence is more critical to offspring survival than is a father's. She notes that offspring survival is more critical to female reproductive success (the passing of one's genes to subsequent generations—the ultimate "goal" of all life forms) than to male reproductive success. Because of the limits placed on female reproductive success by long periods of gestation and lactation, females have more investment tied up in children they already have than males, whose reproductive success is only limited by access to willing females. We are reminded again that we humans are adapted to seek sexual pleasure, not reproductive success per se. Reproduction was simply a more common outcome of sexual activity in pre-contraceptive times.

Campbell (1999) argues that because offspring survival is so enormously important to their reproductive success, females have evolved a propensity to avoid engaging in behaviors that pose survival risks. The practice of keeping nursing children in close proximity in ancestral environments posed an elevated risk of injuring the child as well as herself if the mother placed herself in risky situations. Thus it became adaptive for females to experience many different situations as fearful. There are no sex differences in fearfulness *unless* a situation contains a significant risk of physical injury, and it is this fear that accounts for the greater tendency of females to avoid or remove themselves from potentially violent situations, and to employ low-risk strategies in competition and dispute resolution relative to males. Average differences in fear levels are strong and consistently found regardless of how fear is measured (Campbell, 2009). Females do engage in competition with one another for resources and mates, of course, but it is rarely violent competition. Most of it is decidedly low-key, low risk, and chronic as opposed to emotionally tense, high-risk, and acute male competition.

Campbell's theory also focuses on gender differences in status striving. Campbell (1999) shows that when females engage in crime, they almost always do so for instrumental reasons, and their crimes rarely

involve risk of physical injury. There is no evidence, for instance, that female robbers crave the additional payoffs of dominance that male robbers do, or seek reputations as "hardasses." Campbell notes that while women do aggress and do steal, "they rarely do both at the same time because the equation of resources and status reflects a particularly masculine logic" (p. 210).

⊠ Evaluation of Feminist Theories

In common with critical theorists, feminist theorists have generally been content to focus on descriptive studies or on crime-specific "mini-theories" such as Chesney-Lind's *criminalizing girls' survival* that have worked well to explain female-specific offending.

Although Hagan's and Messerschmidt's theories offer some interesting insights regarding family dynamics and how gender is perceived in different social contexts, they have not moved the discipline forward. Messerschmidt's theory seems to be a rehashing of the old subcultural theories, in which "doing gender" is substituted for male status striving stressed by subculturists such as Albert Cohen in the 1950s. The assertion in Hagan's power-control theory that middle-class children will have higher rates of antisocial behavior than lower-class children is contrary to all that we know about the relationship between social class and crime, especially serious crime (Walsh, 2011b). However, Hagan (1989) admits that his theory best addresses minor misbehaviors such as smoking, drinking, and fighting, which leaves unaddressed the serious violent crimes that most strongly differentiate male and female offending. It is thus difficult not to agree with the feminists who argue that qualitative studies of specific crimes are the best way to study female crime, although, of course, this does not address the gender ratio problem.

If forced to boil down the reasons for the universal sex difference in criminal behavior to their bare minimum, differences in empathy and fear would be strong candidates. Empathy and fear are the natural enemies of crime for fairly obvious reasons:

> Empathy is other-oriented and prevents one from committing acts injurious to others because one has an emotional and cognitive investment in the well-being of others. Fear is self-oriented and prevents one from committing acts injurious to others out of fear of the consequences to one's self. (Walsh, 2011b, p. 124)

Numerous studies show highly significant differences in average levels of fear and empathy between males and females of all ages (reviewed in Walsh, 2011b).

Campbell's (1999) staying alive/high-fear hypothesis is about why females commit so little crime, not why some females commit it, but it does address the gender ratio problem. Because of its biological underpinnings, it may not be acceptable to many traditional feminists, but only 4 of the 27 commentators on her target article argued that strictly social theories better accounted for gender differences in crime. Campbell's hypothesis must be augmented with cultural factors, though, because we sometimes do see females committing more serious crimes than males. For many years, African American females have had higher homicide rates than white males (Barak, 1998).

This does not negate the basic gender ratio argument because *within* the African American community, the gender ratio is generally higher than it is in the white community; e.g., there is a bigger gap between the homicide rates of black males and females than there is between the homicide rates of white males and females (Barak 1998).

⊠ Policy and Prevention: Implications of Feminist Theories

The policy recommendations of feminist theory depend on which variety of feminism we examine. Marxist feminists seem more concerned with defeating capitalism than patriarchy; socialist feminists are more concerned with patriarchy, but have no love for capitalism; radical feminists want to abolish gender, and liberal feminists are less radical reformers who want only to abolish patriarchy (Lanier & Henry, 2010). Liberal feminist reformers have been successful in moving women into what had formerly been "male" occupations, but how the policies of other forms of feminism (abolishing capitalism and gender) could be implemented, as well as their desirability, are open to what would be highly contentious discussion. There are all sorts of other recommendations in between, the major one being the reform of our patriarchal society. Other recommendations include the more equal (less paternalistic) treatment of girls and boys by juvenile authorities, increased educational and occupational choices for women so that those in abusive relationships can leave them, more day care centers, and so forth. Feminist theory suggests that gender sensitivity education in the schools and workplaces may lead men to abandon many of their embedded sexist ideas pertaining to the relationship between the sexes.

Feminist criminologists have impacted the criminal justice system more strongly than they have criminology. The efforts of feminists to fight gender stereotypes have moved women into previously all-male occupations such as police, probation/parole, and corrections officer positions, and have placed more female judges on the bench and more lawyers before the bar. This has led to a greater understanding of female victims and their plight. Feminist criminologists and other feminist activists have been on the forefront in fighting such previously quasi-"acceptable" practices as sexual harassment, stalking, date rape, and child pornography. It was feminists who long pushed for mandatory arrests for domestic violence and achieved it, although this has led to an increase in female as well as male arrests. Feminists also fought for other reforms of such laws as the spousal exception to rape (up until the 1980s it was not legally possible for a man to rape his wife), and for rape shield laws, protecting rape victims' sexual history from examination in a rape trial. Overall, feminist criminology has been quite successful in pushing for a more just, less patriarchal, and more sensitive criminal justice system.

SUMMARY

- Critical criminology is a generic term encompassing many different theoretical positions united by the common view that society is best characterized by conflict and power relations rather than by value consensus.
- Marxist criminologists follow the theoretical trail of Karl Marx, who posited social theories based on two conflicting classes in society, the bourgeoisie and the proletariat. While some modern Marxists tend to romanticize criminals as heroic revolutionaries, Marx considered them "social scum" who preyed upon the working class. Marx is credited with introducing the terms primitive *rebellion* and *alienation* into criminology's vocabulary.
- Willem Bonger is credited with being the first Marxist criminologist. He was concerned with two opposite "social sentiments": altruism and egoism. The sentiment of altruism is killed in a capitalist social system because it generates competition for wealth, status, and jobs. Thus, capitalism produces egoism, which leads to criminal behavior on the part of both the poor and the rich.
- Marxists tend to view capitalism as the only cause of crime, and they insist that class and class values are generated by the material conditions of social life. Because only the material conditions of life really

matter, the only way to make any serious impact on crime is to eliminate the capitalist mode of production and institute a Marxist social order. Left realists realize that such a radical transformation is highly unlikely in modern times, and although they maintain a critical stance toward the system, they work within it in an effort to influence social policy.

- Conflict theorists share some sentiments with Marxists, but view conflict in pluralistic terms and as intrinsic to society, not something that can be eliminated. Crime is the result of the ability of powerful interest groups to criminalize the behavior of other less powerful interest groups when that behavior is contrary to their interests.

- Conflict criminological research tends to focus on the differential treatment by the criminal justice system of individuals who are members of less powerful groups such as minorities, women, and working-class whites.

- Peacemaking criminology is based on religious principles more than empirical science. It wants to make peace on crime, counsels us that we should appreciate the criminals' point of view, and wants us to be less punitive.

- Feminist criminology focuses on trying to understand female offending from the feminist perspective, which contends that women are faced with special disabilities living in an oppressive sexist society.

- The two big issues in feminist criminology are the *generalizability* problem (Do traditional theories of crime explain female as well as male offending?) and the *gender ratio* problem (What accounts for the huge gap in offending between males and females?).

- Early attempts to explain female crime from the feminist tradition emphasized the masculinization of female attitudes as women increasingly adopted "male" roles, or simply that as women moved into the workforce in greater numbers, they found greater opportunities to commit job-related crimes. Many feminists rejected both positions, pointing out that such theorizing provided ammunition for those who opposed the women's movement and that regardless of any increase in female offending, the male–female gap remains as wide as ever.

- John Hagan and James Messerschmidt have formulated theories of gender difference in antisocial behavior based on socialization and gender role theories. Other feminists maintain that we cannot understand gender differences in behavior without understanding the underlying biological differences between the sexes.

- The size and universality of the gender gap suggests to some that the most logical explanation for it must lie in some fundamental differences between the sexes rather than socialization, such as neurological and hormonal differences.

- Anne Campbell's staying alive hypothesis attempts to explain the gender ratio problem in terms of differential evolutionary selection pressures between the sexes. Female survival was more crucial to women's reproductive success than male survival was to theirs. Natural selection exerted pressure for females to be more fearful of dangerous situations, whereas for males the seeking of dominance and status, which aided their reproductive success, often placed them in such situations.

DISCUSSION QUESTIONS

1. Do you think that the "material conditions of life" largely determine what we will know, believe, and value, and how we will behave?

2. Do you believe that social conflict is inevitable? In what way is conflict a good thing (if at all)?

3. Can inequality ever be eliminated? If we can do this, what price would we pay, if any?

4. Do we really need a feminist criminology, or do the traditional theories suffice to explain both male and female criminality?

5. Explain how ultimate-level explanations of gender differences in behavior, such as Campbell's staying alive hypothesis, are or are not useful for criminologists.

USEFUL WEBSITES

Conflict Theory. www.newworldencyclopedia.org/entry/Conflict_theory

Feminist Criminology. http://en.wikipedia.org/wiki/Feminist_school_of_criminology

Karl Marx. www.historyguide.org/intellect/marx.html

Peacemaking Criminology. www.greggbarak.com/whats_new_2.html

Postmodern Criminology. http://uwacadweb.uwyo.edu/RED_FEATHER/lectures/051techcrm7.htm

CHAPTER TERMS

Alienation

Bourgeoisie

Class struggle

Economic marginalization hypothesis

Emancipation hypothesis

Gender ratio problem

Generalizability problem

Left realists

Lumpenproletariat

Masculinization hypothesis

Power-control theory

Primitive rebellion hypothesis

Social sentiments

Staying alive hypothesis

Structured action theory