At the heart of the theories in this section is social stratification by class and power and how it generates conflict. The theories address how those at the top of the social heap pass laws to maintain their privileged position and how those at the bottom often violate those laws to improve their position. These theories are thus the most “politicized” of all criminological theories. Sanyika Shakur, a.k.a. Kody Scott, came to embrace this politicized view of society as he grew older and was converted to Afrocentric Islam. Shakur was very much a member of the class Karl Marx called the “lumpenproletariat,” 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 thoroughgoing egoist, but many Marxists would excuse this as a trait in him nourished by capitalism, the “root cause” of crime. From his earliest days, he was on the fringes of a society he plainly 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,” referred to the 1992 L.A. riots as “rebellion,” and advocated a separate black nation in America.

Even at a less politicized level, conflict concepts dominated Shakur’s life as he battled the Bloods and other Crip “sets” who had interests at odds with his set. It is easy to imagine his violent act 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 is 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. However, theories presented in this section 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.

One does not have to be a radical or even a liberal to acknowledge that great inequalities exist and that the wealthy classes have the upper hand in all things. History is replete with examples: Plutarch wrote of the conflicts generated by disparity in wealth in Athens in 594 B.C. (Durrant & Durrant, 1968, p. 55), and U.S. President John Adams 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 (Adams, 1778/1971, p. 221).

### Karl Marx and Revolution

Karl Marx, philosopher, journalist, and revolutionary, is the father of critical sociology. The core of Marxist philosophy 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 strive 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 enjoy the upper hand because capitalist societies typically have large armies of unemployed workers anxious 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, saw crime as a social cancer and made plain their disdain for criminals, calling them “The dangerous class, the social scum, that rotting mass thrown off by the lowest layers of the old society” (1948, p. 22). This “social scum” came from a third class in society—the lumpenproletariat—who would play no decisive role in the expected revolution. It is probably for this reason that Marx and Engels only wrote about crime to illustrate the bitter fruits of capitalism and produced no coherent theory of crime. For Marx and Engels (1965, p. 367) crime was simply the product of unjust and alienating social conditions—“the struggle of the isolated individual against the prevailing conditions.”
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).

### 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 exploitive 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 wealth, profits, status, and jobs, setting person against person and group against group, leaving the losers to their miserable fates. Such a moral climate generates alienation, greed, and crime. Bonger believed that poverty was the major cause of crime, but traced poverty’s effects to family structure (broken homes, illegitimacy), poor parental supervision of their children, and “the lack of civilization and education among the poorer classes” (1905/1969, p. 195).

The excerpt from Ian Taylor, Paul Walton, and Jock Young’s (1973) important Marxist work on criminology in this section provides us with a brief history of Marxist criminology, concentrating on Willem Bonger. As orthodox Marxists, Taylor, Walton, and Young severely criticize Bonger’s emphasis on family structure and the moral deficits of the poor as being anti-Marxist because it takes blame away from the capitalist mode of production as uniquely responsible for crime. Their writings well illustrate the tendency of Marxists to excuse and even romanticize criminal activity as an understandable rebellion against the socioeconomic conditions of capitalism.

### Modern Marxist Criminology

Because Marx wrote so little about crime, it is better to characterize modern Marxist criminologists as radicals for whom Marxism serves as a philosophical underpinning. Contrary to Marx, Marxist criminologists have a propensity to excuse criminals. William Chambliss (1976, p. 6), for instance, views some criminal behavior to be “no more than the ‘rightful’ behavior of persons exploited by the extant economic relationships,” and Ian Taylor (1999, p. 151) 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.” David Greenberg (1981, p. 28) even elevated Marx’s despised lumpenproletariat to the status of revolutionary leaders: “criminals, rather than the working class, might be the vanguard of the revolution.” Many 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, for instance, wrote that “it is not too far-fetched to characterize many criminologists as domestic war criminals” (in Siegel, 1986, p. 276).

A second example of modern Marxist criminology is presented in the paper by Barbara Sims in this section. What Sims is attempting to do is to recast institutional anomie theory...
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(SIAT) in more thoroughly Marxist terms. Having shown where IAT “went wrong” in relying on theories other than Marxism, Sims goes on to show how America’s “imprisonment binge” of the last two decades is a reflection of a society whose institutions are in disarray. She concludes by saying that we cannot wait for the overthrow of the capitalist system (which she believes will occur in its own good time), but we should agitate for change now within the context of the current system.

Left Realism

Sims’s recommendation puts her among Marxists calling themselves left realists. Left realists acknowledge that predatory street crime is a real source of concern among the working class, who are the primary victims of it, and 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 against the interests 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 sell out (Bohm, 2001).

Conflict Theory:
Max Weber, Power, and Conflict

In common with Marx, German lawyer and sociologist Max Weber (1864–1920) saw society as best characterized by conflict. They differed on three key points, however: (1) while Marx saw cultural ideas as molded by its economic system, Weber saw a culture’s economic system being molded by its ideas; (2) whereas Marx emphasized economic conflict between only two social classes, Weber saw conflict arising from multiple sources; (3) 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.

Even though individuals and groups enjoying wealth, prestige, and power have the resources necessary to impose their values and vision for society 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). Weber saw the law as 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” (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 disbanded 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. 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. 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 (Vold & Bernard, 1986, p. 276).

Vold’s thinking is in the Weberian tradition in that he 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 Burk saw that conflict is functional in this regard, writing that “A state without the means of some change is without means of its conservation” (in Walsh & Hemmens, 2000, p. 214).

Situating Conflict Theory in Relation to Marxist and Labeling Theory

All versions of conflict theory share with labeling and Marxist theories the characteristic of being critical of the status quo, although there are differences. Conflict criminology differs from Marxist criminology in that it concentrates on the processes of value conflict and law-making 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.

Conflict theory shares with labeling theory the idea that crime is a social construct with no intrinsic meaning. “Criminal” behavior is normal behavior subject to criminalization and decriminalization depending on the power relationship existing between those who “do it” and those who don’t want them to. Conflict and labeling theories differ in one important regard, however. Labeling theory concerns itself with the application of a deviant label to the powerless and the consequences that follow, but is not concerned with the process of how particular labels come to be stigmatized, while that process is of central importance to conflict theorists. There is quite a difference between tagging an individual with a criminal label that is already available for use and labeling a previously permissible act as criminal (Triplett, 1993, p. 546).

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

Peacemaking Criminology

Peacemaking criminology is a fairly recent addition to the growing number of theories in our discipline. It is situated squarely in the postmodernist tradition (a tradition that rejects the notion that the scientific view is any better than any other view, and which disparages the claim that any method of understanding can be objective) and has drawn a number of disillusioned former Marxists into its fold. In its peacemaking endeavors it relies heavily on
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"appreciative relativism," a position that holds that all points of view, including that 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.

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

<table>
<thead>
<tr>
<th>Concept</th>
<th>Marxist</th>
<th>Conflict</th>
</tr>
</thead>
<tbody>
<tr>
<td>Origin of conflict</td>
<td>The powerful oppressing the powerless (e.g., the bourgeoisie oppressing the proletariat under capitalism).</td>
<td>It is generated by many factors regardless of the political and economic system.</td>
</tr>
<tr>
<td>Nature of conflict</td>
<td>It is socially bad and must and will be eliminated in a socialist system.</td>
<td>It is socially useful and necessary and cannot be eliminated.</td>
</tr>
<tr>
<td>Major participants in conflict</td>
<td>The owners of the means of production and the workers are engaged in the only conflict that matters.</td>
<td>Conflict takes place everywhere between all sorts of interest groups.</td>
</tr>
<tr>
<td>Social class</td>
<td>Only two classes 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.</td>
<td>There are number of different classes in society defined by their relative wealth, status, and power.</td>
</tr>
<tr>
<td>Concept of the law</td>
<td>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.</td>
<td>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.</td>
</tr>
<tr>
<td>Concept of crime</td>
<td>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.</td>
<td>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.</td>
</tr>
<tr>
<td>Cause of crime</td>
<td>The dehumanizing conditions of capitalism. Capitalism generates egoism and alienates people from themselves and from others.</td>
<td>The distribution of political power that leads to some interest groups being able to criminalize the acts of other interest groups.</td>
</tr>
<tr>
<td>Cure for crime</td>
<td>With the overthrow of the capitalist mode of production, the natural goodness of humanity will emerge, and there will be no more criminal behavior.</td>
<td>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.</td>
</tr>
</tbody>
</table>
perhaps best captured by Kay Harris in writing 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 binds 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” (1991, p. 93). While recognizing that many criminals should be incarcerated, peacemaking criminologists aver that an overemphasis on punishing criminals escalates violence. Marxist-cum-peacemaker Richard Quinney 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” (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 “every action that is primarily oriented toward justice by repairing the harm that has been caused by the crime” and “usually means a face-to-face confrontation between victim and perpetrator, where a mutually agreeable restorative solution is proposed and agreed upon” (Champion, 2005, p. 154). Restorative justice has been applauded because it humanizes justice by bringing victim and offender together to negotiate a mutually satisfying way to correct the wrong done. Although developed for juveniles and primarily confined to them, restorative justice has also been applied to nonviolent adult offenders in a number of countries as well as 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 to reformation and the community will be a safer place in which to live.
Feminist criminology is firmly in the critical/conflict camp of criminology. Feminists see women as being doubly oppressed by gender inequality (their social position in a sexist culture) and by class inequality (their economic position in a capitalist society). Some feminists view the answer to women’s oppression to be the overthrow of the two-headed monster—capitalism and patriarchy. In the meantime, they want to be able to interpret female crime from a feminist perspective. With this in mind, feminist criminology wrestles with two major concerns: “Do traditional male-centered theories of crime apply to women?” This is known as the generalizability problem. The second concern is “What explains the universal fact that women are far less likely than men to involve themselves in criminal activity?” This is known as the gender-ratio problem (Daly & Chesney-Lind, 2002, pp. 269–270).

With regard to the generalizability problem, many feminist criminologists have concluded that male-centered theories have limited applicability to females (Leonard, 1995), and that despite the best efforts of many there is still no female-specific theory of crime. Some feminist scholars believe that no such theory is possible and that they must be content to focus on crime-specific “mini-theories” (Daly & Chesney-Lind, 2002, p. 268). Nevertheless, most female offenders are found in the same places as their male counterparts; that is, among single-parent families located in poor, socially disorganized neighborhoods. Male and female crime rates march in lockstep across different nations and across communities in the same nation (as male rates increase so do female rates, and vice versa), indicating that females are broadly responsive to the same environmental conditions as males (Campbell, 1999). Given this evidence, Daly and Chesney-Lind ask, “Why do similar processes produce a distinctive, gender-based [male] structure to crime and delinquency?” (1996, p. 349).

This question leads us to the gender-ratio problem. Two early attempts to answer the question were Freda Adler’s (1975) masculinization hypothesis and Rita Simon’s (1975) emancipation hypothesis. Both hypotheses accepted the traditional sociological notion that gender differences are mostly products of differential socialization; that is, men are socialized to be assertive, ambitious, and dominant, and women are socialized to be nurturing, passive, and home and family oriented. 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. Female crime rates have increased over the past 30 years, but as a proportion of total arrests they have not varied by more than 5 percentage points, and the male/female gap has remained essentially unchanged (Campbell, 1999).

It has been proposed that the gender ratio exists because the genders differ in exposure to delinquent peers and males are more influenced by delinquent peers than females, and because of females’ greater inhibitory morality (Mears, Ploeger, & Warr, 1998). This has been called nothing more than claiming that “boys will be boys,” and “girls will be girls,” because it begs the questions of why males are more “exposed” and more “influenced” than females and why females have a stronger sense of morality (Walsh, 2002, p. 207). One of the standard answers to these questions is that girls are more closely supervised than boys, yet controlling for supervision level results in the same large gender gap in offending (Gottfredson & Hirschi, 1990), and a meta-analysis of 172 studies found a slight tendency for girls to be less strictly
supervised than boys (Lytton & Romney, 1991). Many others studies have shown that large sex differences in antisocial behavior exist regardless of what control variables are introduced (Chesney-Lind & Shelden, 1992). As Dianna Fishbein (1992) has summed up the issue: “Cross 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).

Others calling themselves “radical feminists” have argued 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. If 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. Sex differences in dominance and aggression are seen in all human cultures from the earliest days of life and are underscored during the teen years. Furthermore, these differences are observed in all primate and most mammalian species, and no one would evoke socialization as an explanation in these instances (Archer, 1996; Geary, 1998).

Biologically informed feminists embrace evidence from the neurosciences indicating that hormones organize the brain in male or female directions during sensitive prenatal periods (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 via the regulation of brain chemistry (Ellis, 2003). According to Doreen Kimura (1992), males and females come into this world with “differently wired brains,” and these brain differences “make it almost impossible to evaluate the effects of experience [the socialization process] independent of physiological predisposition” (p. 119). The major biological factor said to underlie gender differences in aggression, violence, and general antisocial behavior is testosterone (Kanazawa, 2003). Note that these theorists are not saying that testosterone is a major or even minor cause of crime and general mayhem, only that it is the major factor that underlies gender differences in crime and general mayhem.

Anne Campbell’s Staying Alive Hypothesis

Why do “differently wired brains” exist in the first place? Sex differences do not arise without there being an adaptive 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
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Bird and fish species, males contribute greater parental investment (e.g., incubating the eggs and feeding the young) than females, 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; Betzig, 1999). 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) has attempted to account for the gender-ratio problem using the logic of evolutionary theory in her *staying alive hypothesis*. 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 do males (male reproductive success is only limited by access to willing females).

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. 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 high key, high risk, and acute male competition.

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 “hard asses.” Any woman with a reputation as a “hard ass” would not be very desirable as a mate. Thus, 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).

Meda Chesney-Lind’s article in this section is typical of all critical theories in making a call for more activism among feminist criminologists. She asserts that certain feminist successes have created a backlash against females in general that is manifested in anti-feminist and racist agendas in the criminal justice system. Women have been demonized in the media with lurid stories of “bad girl” violence, which in turn has resulted in ever-larger numbers of women, especially women of color, being incarcerated. Chesney-Lind addresses all the major themes of this section (patriarchy and the generalizability and gender-ratio problems). She maintains that much of the so-called increase in female violence is the result of such things as zero tolerance in schools and of policies that mandate arrest for the most minor of domestic assaults (see the Steffensmeier et al. article in Section 2 for a similar conclusion).
**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 also tend to be hostile to empiricism, preferring historical, descriptive, and illustrative research. The tendency to romanticize criminals as revolutionaries has long been a major criticism, although Marxist criminologists are less likely to do this today.

Can Marxists claim empirical support for their contention that capitalism causes crime and socialism “cures” it? That capitalism is associated with higher crime rates than socialism is uncontested, but the question is whether the Marxist interpretation of this fact is correct. Analyses of previously secret crime figures from the former Soviet Union reveal that crime rates there fluctuated over the years almost as much as they did in capitalist societies, and crime started to increase significantly there even before the implementation of the liberalization policies of the late 1980s (Butler, 1992). The lower crime rates in socialist societies probably have more to do with repressive law enforcement practices than with any altruistic qualities intrinsic to socialism.

Marxist criminology also appears to be in a time warp in its implicit assumption that the conditions prevailing in Marx’s time still exist today in advanced capitalist societies. People from all over the world have risked life and limb to get into capitalist countries because those countries are where human rights are most respected and human needs most readily accessible. Even before the collapse of the Soviet system, left realists realized that utopia would be a long time coming and that it would be more realistic to work within the system to achieve reforms. Left realism is thus more the reform-minded “practical” wing of Marxism than a theory of crime that has anything special to offer criminology.

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 “Conflict 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 minimizes 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. The is wide agreement among people of various classes in the United States 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, 1998). It is undoubtedly true that the reduction of human suffering and achieving a truly just world will reduce 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.

Despite the best efforts of many feminist criminologists, there is still no gender-specific theory of crime, and some have even pointed out that no such theory is possible (Daly & Chesney-Lind, 2002, p. 268). Feminist theorists have thus been content to focus on descriptive
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studies or on crime-specific “mini-theories.” When all is said and done, maleness is without
doubt the best single predictor of criminal behavior, which leaves feminist theorists without
much left to explain in specific female terms about female offending.

Campbell’s staying alive/high-fear hypothesis is about why females commit so little
crime, not why some females commit it. Because of its biological underpinnings, it may not
be acceptable to many traditional feminists, although 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. 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; that is, 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 (Laub & McDermott, 1985).

Policy and Prevention:
Implications of Critical Theories

The policy implications of Marxist theory are straightforward: Overthrow capitalism and crime
will be reduced. Marxist criminologists realize today that the abolition of capitalism is unrealis-
tic, a fact underlined for them by the collapse of Marxism across Eastern Europe. They also real-
ize that 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 tem-
per their views while at the same maintaining their critical stance toward the “system.” Policy rec-
ommendations made by left realists have many things in common with those made by ecology,
anomie, and routine activities theorists. Community activities, neighborhood watches, commu-
nity 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 compre-
hensive health care system, maternal leave, and a national policy of family support as a way of
reducing crime (Currie, 1989).

The policy recommendations of feminist theory range from the liberal’s affirmative
action programs to the Marxist’s revolutionary overthrow of capitalism. The former has
been relatively successful in moving women into what had formerly been “male” occupa-
tions, and the latter is hardly likely to occur. There are all sorts of other recommendations
in between, the major one being the reform of our patriarchal society. Other recommenda-
tions 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.

**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 the existence of 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.

- 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 they increasingly adopted “male” roles, or simply that as women move 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.

- 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 their 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.

**EXERCISES AND 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 ways is conflict a good thing?
3. Do we really need a feminist criminology, or do the traditional theories suffice to explain both male and female criminality?

**USEFUL WEB SITES**


**CHAPTER GLOSSARY**

- **Bourgeoisie:** The wealthy owners of the means of production.
- **Class struggle:** The core concept of Marxist philosophy. It asserts that all history is one of class struggles between the “haves” (the oppressors) and “have not’s” (the oppressed).
- **Emancipation hypothesis:** The assumption that as women become freer to move into male occupations they will find and take advantage of more criminal opportunities.
- **Generalizability problem:** In feminist criminology, the question about whether traditional male-centered theories of crime apply to women.
Gender-ratio problem: In feminist criminology, the question of what explains the universal fact that women are far less likely than men to involve themselves in criminal activity.

Left realists: An approach to crime that maintains that although inequality is a cause of crime, the best solution is to work within the system to prevent and control crime.

Lumpenproletariat: The lower classes; the criminal class.

Masculinization hypothesis: The assumption that as females adopt “male” roles and masculinize their attitudes and behavior they will commit as much crime as men.

Peacemaking criminology: A postmodernist theory that relies heavily on “appreciative relativism,” a position that holds that all points of view, including that of criminals, are relative, and all should be appreciated.

Primitive rebellion hypothesis: The Marxist idea that crime is the product of unjust and alienating social conditions that deny productive labor to masses of unemployed.

Proletariat: The working class.

Restorative justice: A system of mediation and conflict resolution that brings victim and offender together to negotiate a mutually satisfying way to correct the wrong done.

Social sentiments: In Willem Bonger’s theory, they are altruism (active concern for the well-being of others) and egoism (concern only for one’s own selfish interests).

Staying alive hypothesis: The idea that women are less criminal than men because they have evolved a propensity to experience more situations as fearful than men do. This fear keeps women and their children away from danger and thus aids their reproductive success.

READING

Marx, Engels, and Bonger on Crime and Social Control

Ian Taylor, Paul Walton, and Jock Young

In this excerpt from their book The New Criminology: For a Social Theory of Deviance, Taylor, Walton, and Young make the typical Marxist argument that crime must be placed in the context of a capitalist political economy. They explicitly deny that crime, or the laws forbidding it, can be understood without an examination of power relationships within a capitalist society. Taylor, Walton, and Young provide us with historical background of Marxist theory through the work of Willem Bonger, and also a brief overview of the more contemporary contributions of conflict theorists. Although Bonger viewed capitalism as criminogenic, note how Taylor, Walton, and Young take him to task for deviating from the “official” Marxist line by departing from purely structural explanations for crime and delving into individual differences.
In part, Marxism stands or falls on the basis of certain assumptions it makes about the nature of man. Where other social theories operate with implicit assumptions about man’s nature, Marx made his starting point a quite explicit philosophical anthropology of man. In *The Economic and Philosophical Manuscripts* of 1844, Marx is concerned to show that man is distinct in a crucial and precise way from the members of the animal world.

Man is a *species-being* not only in the sense that he makes the community (his own as well as those of other things) his object both practically and theoretically, but also (and this is simply another expression of the same thing) in the sense that he treats himself as the present living species, as a *universal* and consequently free being.

The bulk of Marx’s later work is concerned with the demonstration of the ways in which man’s social nature and consciousness have been distorted, imprisoned or diverted by the social arrangements developed over time. These social arrangements are the product of man’s struggle to master the conditions of scarcity and material underdevelopment. These social arrangements, developed as a response to man’s domination by poverty, imprison man tightly in social relationships of an exploitative nature and alienate men from men, and thus from the objects of their labour. Man is struggling to be free, but cannot realize freedom (or himself as a fully-conscious, “sensuous” species-being) until such time as he is free of the exploitative relationships which are outmoded and unnecessary.

The continuing debates over Marxism in sociology and philosophy, (as well as within socialist movements) in the twentieth century, therefore, have had to do with problems of consciousness, contradictions and social change. That is, the image of society offered out by classical Marxism is one of competing social groups, each with a distinct set of interests and cultural world views, caught within a network of essentially temporary (or historically specific) social arrangements, which in their turn are more or less likely to be revolutionized in periods of crisis. Capitalism, as a set of social relationships, is conceptualized as the most highly developed form of social exploitation, within which are sown the seeds of man’s leap to a liberating consciousness. Capitalism “contains the seeds of its own destruction” not only in the sense that it creates the technology whereby physical and material need may be satisfied but also because it prevents a more sophisticated set of social relationships developing alongside such productive forces.

A full-blown Marxist theory of deviance, or at least a theory of deviance deriving from a Marxism so described, would be concerned to develop explanations of the ways in which particular historical periods, characterized by particular sets of social relationships and means of production, give rise to attempts by the economically and politically powerful to order society in particular ways. It would ask with greater emphasis the question that Howard Becker poses (and does not face), namely, who makes the rules, and why? A Marxist theory would attempt, that is, to locate the defining agencies, not only in some general market structure, but quite specifically in their relationship to the overweening structure of material production and the division of labour. Moreover, to be a satisfactory explanation, a Marxist theory would proceed with a notion of man which would distinguish it quite clearly from, classical, positivist, or interactionist “images” of man. It would assume, that is, a degree of consciousness, bound up with men’s location in a social structure of production, exchange and domination, which of itself would influence the ways in which men defined as criminal or deviant would attempt to live with their outsider’s status. That is, men’s reaction to labeling by the powerful would not be seen to be simply a cultural problem—a problem of reacting to a legal status or a social stigma: it would necessarily be seen to be bound up with men’s degree of consciousness of domination and subordination in a wider structure of power relationships.
operating in particular types of economic context. One consequence of such an approach—which, it must be stated, has been conspicuous for its absence in deviancy theory—and other approaches sensitive to men’s subjective world, and the theories of social structure implicit in orthodox Marxism. More crucially, such a linkage would enable us to escape from the strait-jacket of an economic determinism and the relativism of some subjectivist approaches to a theory of contradiction in a social structure which recognizes in “deviance” the acts of men in the process of actively making, rather than passively taking, the external world. It might enable us to sustain what has until now been a polemical assertion, made (in the main) by anarchists and deviants themselves, that much deviance is in itself a political act, and that, in this sense, deviance is a property of the act rather than a spurious label applied to the amoral or the careless by agencies of political and social control.

Willem Bonger and Formal Marxism

In the study of crime and deviance, the work of Willem Bonger (1876–1940) . . . has assumed the mantle of the Marxist orthodoxy—if only because (with the exception of untranslated writers inside the Soviet bloc) no other self-proclaimed Marxist has devoted time to a full-scale study of the area. Bonger’s criminology is an attempt to utilize some of the formal concepts of Marxism in the understanding of the crime-rates of European capitalism in the late nineteenth and early twentieth centuries. Importantly, however, Bonger’s efforts appear, for us, not so much the application of a fully-fledged Marxist theory as they are a recitation of a “Marxist catechism” in an area which Marx had left largely untouched—a recitation prompted by the growth not of the theory itself, but by the growth of a sociological pragmatism. Bonger must, therefore, be evaluated in his own terms, in terms of the competence of his extension of the formal concepts of Marxism to the subject-matter, rather than in terms of any claim that might be made for him as the Marxist criminologist.

In at least two respects, Bonger’s analysis of crime differs in substance from that of Marx. On the one hand, Bonger is clearly very much more seriously concerned than Marx with the causal chain linking crime with the precipitating economic and, social conditions. On the other, he does not confine his explanations to working-class crime, extending his discussions to the criminal activity of the industrial bourgeoisie as defined by the criminal laws of his time. Whilst differing from Marx in these respects, however, Bonger is at one with his mentor in attributing the activity itself to demoralized individuals, products of a dominant capitalism.

Indeed, in both Marx and Bonger, one is aware of a curious contradiction between the “image of man” advanced as the anthropological underpinning of “orthodox” Marxism and the questions asked about men who deviate. . . . The criminal thought, which runs through the bulk of Bonger’s analysis of crime, is seen as the product of the tendency in industrial capitalism to create “egoism” rather than “altruism” in the structure of social life. It is apparent that the notion performs two different notions for Bonger, in that he is able to argue, at different points, that, first, “the criminal thought” is engendered by the conditions of misery forced on sections of the working class under capitalism and that, second, it is also the product of the greed encouraged when capitalism thrives. In other words, as an intermediary notion, it enabled Bonger to circumvent the knotty problem of the relationship between general economic conditions and the propensity to economic crime.

Now, whilst the ambiguity in the notion may help Bonger’s analysis, it does not stem directly from his awareness of dual problems. For Bonger, it does appear as an autonomous psychic and behavioural quality which is to be deplored and
feared; “the criminal thought,” and its associated “egoism” are products of the brutishness of capitalism, but at the same time they do appear to “take over” individuals and independently direct their actions.

The Marxist perspective, of course, has always emphasized the impact that the dominant mode of production has had on social relationships in the wider society, and, in particular, has spelt out the ways in which a capitalist means of production will tend to “individuate” the nature of social life. But to understand that “egoism” and “individuation” are products of particular sets of social arrangements is to understand that egoism and individuation have no force or influence independently of their social context. For Bonger, the “criminal thought”—albeit a product of the egoistic structure of capitalism—assumes an independent status as an intrinsic and behavioural quality of certain (criminal) individuals. It is enormously paradoxical that a writer who lays claim to be writing as a sociologist and a Marxist should begin his analysis with an assumed individual quality (which he deplores) and proceed only later to the social conditions and relationships sustaining and obstructing the acting-out quality.

In the first place, the emphasis in Bonger on “the criminal thought” as an independent factor for analysis is equivalent to the biological, physiological, and sociological (or environmental) factors accorded an independent and causative place in the writings of the positivist theorists of crime. The limitations of this approach have been pointed out, amongst others, by Austin T. Turk:

Students of crime have been preoccupied with the search for an explanation of distinguishing characteristics of criminality, almost universally assuming that the implied task is to develop scientific explanations of the behaviour of persons who deviate from “legal norms.” The quest has not been very successful . . . the cumulative impact of efforts to specify and explain differences between “criminal” and “non-criminal” cultural and behaviour patterns is to force serious consideration of the possibility that there may be no significant differences between the overwhelming majority of legally identified criminals and the relevant general population, i.e., that population whose concerns and expectations impinge directly and routinely upon the individuals so identified.

More succinctly: “the working assumption has been that crime and non-crime are classes of behaviour instead of simply labels associated with the processes by which individuals come to occupy ascribed . . . statuses of criminal and non-criminal.”

It is a comment on the nature of Bonger’s Marxism that the actor is accorded such an idealistic independence; when to have started with a model of a society within which there are conflicting interests and a differential distribution of power would have revealed the utility of the criminal law and the “criminal” label (with a legitimating ideology derived from academia) to the powerful elites of capitalist society. In fact, of course, a criminology which proceeds in recognition of competing social interests has two interrelated tasks of explanation. Certainly it has the task of explaining the causes for an individual’s involvement in “criminal” behaviour: but, prior to that, it has the task of explaining the derivation of the “criminal” label (whose content, function and applicability we have argued will vary across time, across cultures, and internally within a social structure).

One cannot entirely avoid the conclusion that Bonger’s analysis, irrespective of the extent to which it is guided by a reading and acceptance of Marxist precepts, is motivated (and confused) by a fear of those with “criminal thoughts.” For Bonger, “criminal thought” is by and large a product of the lack of moral training in the population. Moral training has been denied the proletariat, in particular, because it is not the
essential training for work in an industrializing society. The spread of “moral training” is the antidote to “criminal thoughts,” but, since such an education is unlikely under the brutish capitalism of the imperialist period, capitalism—or more precisely, the economic conditions (of inequality and accumulation)—are indeed a cause of crime.

Insofar as Bonger displays any concern for the determinant nature of social relationships of production, he does so in order to illustrate the tendencies of different social arrangements to encourage “criminal thoughts” in the population at large. As against the ameliorist school, which saw an inevitable advance of man from conditions of primitive and brutish living to societies in which altruistic relationships would predominate, Bonger, in fundamental agreement with the value placed on altruism and liberalism, identified the advent of capitalism with the break in the process of civilizing social relationships. . . . Bonger comments: “The fact that the duty of altruism is so much insisted upon is the most convincing proof that it is not generally practised.”

The demise of egoism, and the creation of social conditions favourable to the “criminal thought” parallels, for Bonger, the development of social arrangements of production as described by Marx. . . . Under capitalism, the transformation of work from its value for use to its value for exchange (as fully described by Marx) is responsible for the “cupidity and ambition,” the lack of sensitivity between men, and the declining influence of men’s ambitions on the actions of their fellows. . . . Capitalism, in short, “has developed egoism at the expense of altruism.”

“Egoism” constitutes a favourable climate for the commission of criminal acts, and this, for Bonger, is an indication that an environment in which men’s social instincts are encouraged has been replaced by one which confers legitimacy on asocial or “immoral” acts of deviance. The commission of these acts, as Bonger explicitly states in Introduction to Criminology, has a demoralizing effect on the whole of the body politic.

Bonger’s substantive analysis of types of crime, covering a range of “economic crimes,” “sexual crimes,” “crimes from vengeance and other motives,” “political crimes” and “pathological crimes,” is taken up with a demonstration of the ways in which these crimes are causatively linked with an environment encouraging egoistic action. Even involvement of persons born with “psychic defects” in criminal activity can be explained in terms of these enabling conditions:

These persons adapt themselves to their environment only with difficulty . . . have a smaller chance than others to succeed in our present society, where the fundamental principle is the warfare of all against all. Hence they are more likely to seek for means that others do not employ (prostitution, for example).

The whole of Bonger’s analysis, however much it is altered or qualified at particular points in his discussion, rests on the environmental determinism of his “general considerations.” In a social structure encouraging of egoism, the obstacles and deterrents to the emergence of the presumably ever-present “criminal thought” are weakened and/or removed; whereas, for example, under primitive communism, the communality was constructed around, and dependent upon, an interpersonal altruism. Capitalism is responsible for the free play granted to the pathological will, the “criminal thought” possessed by certain individuals.

The bulk of Bonger’s work, indeed, so far from being an example of dialectical procedure, is a kind of positivism in itself, or at least an eclecticism reminiscent of “inter-disciplinary” positivism. Where the general theory appears not to encompass all the facts (facts produced by positivist endeavor), mediations of various kinds are introduced. In Bonger, it is possible to
find examples of the elements of anomie theory, differential opportunity theory and, at times, the frameworks of structural-functionalism (much of it well in advance of its time). In his discussion of economic crime, for example, Bonger approached a Mertonian stance on larceny:

Modern industry manufactures enormous quantities of goods without the outlet for them being known. The desire to buy must, then, be excited in the public. Beautiful displays, dazzling illuminations, and many other means are used to attain the desired end. The perfection of this system is reached in the great modern retail store, where persons may enter freely, and see and handle everything—where, in short, the public is drawn as a moth to a flame. The result of these tactics is that the cupidity of the crowd is highly excited.

And Bonger is not unaware of the general, or the more limited, theories of criminality and deviance produced by the classical thinkers of his time and earlier. Where appropriate, Bonger attempts to incorporate elements of these competing theorists, though always in a way which subordinates their positions to his own “general considerations.” On Gabriel Tarde’s “law of imitation,” for example, which purports to explain criminality as a function of association with “criminal types,” Bonger writes:

In our present society, with its pronounced egoistic tendencies, imitation strengthens these, as it would strengthen the altruistic tendencies produced by another form of society. . . . It is only as a consequence of the predominance of egoism in our present society that the error is made of supposing the effect of imitation to be necessarily evil.

Our concern here is not to dispute particular arguments in Bonger for their own sakes, but rather to point to the way in which a single-factor environmentalism is given predominance, with secondary considerations derived from the body of existing literature being introduced eclectically. That is, Bonger’s method, though resting on an environmentalism explicitly derived from Marx, appears in the final analysis as a method reminiscent of the eclectism practised by positivist sociologists operating with formal concepts lacking a grounding in history and structure.

This eclectic approach is accompanied by a crudely statistical technique of verification and elaboration. We are presented, amongst other things, with statistical demonstrations of the relationship between levels of educational attainment and violent crime, declines in business and “bourgeois” crime (fraud, etc.), degrees of poverty and involvement in sexual crime (especially prostitution), crimes of “vengeance” and the season of the year and many more. Consistently, the objective is to demonstrate the underlying motivation as being bound up with an egoism induced and sustained by the environment of capitalism. . . . And, lest we should think that egoism is directly a product of poverty and subordination, as opposed to being a central element of a general moral climate, Bonger is able to offer explanations of crime among the bourgeoisie. These crimes he sees to be motivated by need, in cases of business decline and collapse, or by cupidity. In the latter case, “what [men] get by honest business is not enough for them, they wish to become richer.” In either case, Bonger’s case is contingent on the moral climate engendered by the economic system:

It is only under special circumstances that this desire for wealth arises, and . . . it is unknown under others. It will be necessary only to point out that although cupidity is a strong motive with all classes of our present society, it is especially so among the bourgeoisie, as a consequence of their position in the economic life.
Now, Bonger’s formal Marxism does enable him to make an insightful series of comments about the nature of the deprivations experienced under capitalism. Judged in Bonger’s own terms—that is, in terms of the social positivism of his time—his work surpasses much that was, and is, available. Notably, Bonger’s discussion of the effects of the subordination of women (and its contribution to the aetiology of female criminality) and of “militarism” (in sustaining an egoistic and competitive moral climate) seem far ahead of their time.

Writing of the criminality of women, for example, Bonger asserts that:

The great power of a man over his wife, as a consequence of his economic preponderance, may equally be a demoralizing cause. It is certain that there will always be abuse of power on the part of a number of those whom social circumstances have clothed with a certain authority. How many women there are now who have to endure the coarseness and bad treatment of their husbands, but would not hesitate to leave them if their economic dependence and the law did not prevent.

The contemporary ring of these comments is paralleled in Bonger’s comments, made, it should be remembered, at the time when the “Marxist” parties of Europe found their members rushing to the “national defence” in the “Great War” . . . Thus, whilst much of Bonger’s formal Marxism appears as a form of abstracted and eclectic positivism when viewed across its canvas, he still derives a considerable benefit and understanding from the Marxist perspective in his sensitivity to the demoralizing and destructive consequences of the forms of domination characteristic of a capitalist society. Paradoxically, however, this sensitivity does not extend to an understanding of the nature of domination and social control in defining and delineating the field of interest itself, namely what passes for crime and deviance in societies where “law is the law determined by powerful interests and classes in the population at large. . . .”

Bonger asserts that “there are instances where an action stamped as criminal is not felt to be immoral by anybody.” But these statements, and others like them, are made in passing and do not constitute the basis for the thoroughgoing analysis of the structure of laws and interests. And Bonger is ambivalent throughout on the role of social control in the creation of crime. He seems aware only in certain cases, of “societal reaction” in determining degrees of apprehension. So, for example: “the offences of which women are most often guilty are also those which it is most difficult to discover, namely those committed without violence. Then, those who have been injured are less likely to bring a complaint against a woman than against a man.”

But later, in dealing with sexual crimes in general, Bonger uncritically accepts the official statistics of apprehension as an indication of “the class of the population that commits these crimes.” In fact, Bonger’s position is that the law (and its enforcement)—whilst certainly the creation of a dominant class—is a genuine reflexion of some universal social and moral sentiment. . . .”

The manifest explanation for the inclusion within the criminal law of sanctions controlling behaviour which is not directly harmful to the class interests of the powerful is that the working classes themselves are not without power. That is, one supposes, it is in the interests of the powerful to operate a system of general social control in the interests of order (within which individual and corporate enterprise can proceed unimpeded). However, there is more than a suspicion that Bonger’s equation of social control with a universal moral sentiment is based on a belief he shares with the bourgeoisie in order
for its own sake. Socialism is preferable to capitalism because it is more orderly. . . .

Bonger’s formal Marxism, therefore, tells us that the solution to the problems of criminality is not so much to challenge the labels and the processing of capitalist law as it is to wage a responsible and orderly political battle for the reform of a divisive social structure. Even in the case of political opposition, a crucial distinction is to be drawn between responsible activity (the acts of a noble man) and the irresponsible and pathological activity—especially that of the anarchist movement (characterized, argues Bonger, by “extreme individualism,” “great vanity,” “pronounced altruistic tendencies” “coupled with a lack of intellectual development”). . . .

. . . For us, the outstanding feature of Bonger’s essentially correctional perspective is that, quite aside from the premises on which it operates (the contingency of criminality on an egoistic moral climate), it does not reveal a consistent social psychology, or, by the same token, a systematic social theory. At one moment, the actor under consideration is seen to be inextricably caught up in a determined and identifiable set of circumstances (or, more properly, a set of economic relationships); at another, he appears as the victim of an assumed personal quality (the criminal thought) sustained and (often) apparently developed by the moral climate of industrial capitalism.

Insofar as a social theory reveals itself in Bonger, the central assumptions on which it is built appear to be Durkheimian in nature rather than to derive from the avowedly Marxist theory of its author. Criminal man is consistently depicted not so much as a man produced by a matrix of unequal social relationships, nor indeed as a man attempting to resolve those inequalities of wealth, power and life chances; rather, criminal man is viewed as being in need of social control. “Socialism,” in this perspective, is an alternative and desirable set of social institutions, which carry with them a set of Durkheimian norms and controls. “Socialism” thus expressed is the resort of an idealist, wishing for the substitution of a competitive and egoistic moral climate by a context in which the cooperative-ness of men is encouraged. Socialism is preferable to capitalism, most of all, because it will control the baser instincts of man, Bonger does not assert that the “egoistic” man will “wither away” under socialism: it is only that the social relationships of socialism will not reward the endeavours of an egoist. . . .

DISCUSSION QUESTIONS

1. How does Bonger’s approach differ from Marx’s; does it add to or subtract from Marx?

2. Discuss Taylor, Walton, and Young’s “cure” for crime.

3. Why and how does capitalism encourage egoism? Do you think that people in socialist countries are more altruistic than people in capitalist countries? How would you find this out?
Barbara Sims's article serves to illustrate differences between two theories that are highly critical of American capitalism, with one advocating reform (institutional anomie) and the other advocating revolution (Marxism). In Section 4 it was noted that institutional anomie theory claims that all other institutions in America are subordinate to the economy. Sims agrees with this and says that it is in accordance with Marxist thought. However, she argues that the theory does not take the contribution of Marxist criminology into consideration. Sims seeks to rectify this by showing how economic and other inequalities are naturally occurring events in capitalist America. After doing this, she attempts to show how her analysis can be applied to address what can be done about America's imprisonment binge.

According to a 1994 Gallup poll, 52% of Americans believe that crime is the most important problem facing the United States today. In spite of research that has shown a great disparity between individuals' fear of crime and the chance of them actually becoming victims, the media, legislators, and U.S. presidents have continued to paint a picture of "soaring crime rates" (Walker 1994, p. 4). In his State of the Union Address in January 1994, President Bill Clinton placed a great emphasis on crime and announced that he was introducing a new crime bill. During the months that followed, as the U.S. Congress began considering the bill, extensive media coverage kept the issue of crime alive in the minds of Americans.

Although the picture of crime that Americans are left with may be distorted and used to feed a politically fruitful "get tough" approach to crime, the fact is that crime is a major problem in the United States. Whether or not crime is increasing in such drastic measures, as has been portrayed by the press and politicians, is a question that is not answered in this article. Instead, an argument is made that the resulting "lock 'em up" policy—fed by the media, politicians, and the public's increased punitiveness toward offenders—has diverted attention away from a close examination of a social structure and culture that produces criminal activity in the first place. This punitive approach to crime has had a tremendous impact on the criminal justice system (police, courts, and corrections)—an impact that has been felt throughout other social institutions across U.S. communities. To lay the theoretical foundation for this argument, I apply Messner and Rosenfeld's (1994) "sociological paradigm" in *Crime and the American Dream* to Irwin and Austin's (1994) "imprisonment binge" in *It's About Time: America's Imprisonment Binge*.

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The Missing Link in Messner and Rosenfeld’s “Sociological Paradigm”

Messner and Rosenfeld (1994, p. 8) argue that there is a “dark side” to the American Dream. The thesis of their book is that the American Dream itself encourages an exaggerated emphasis on monetary achievements while devaluing alternative criteria of success; it promotes a preoccupation with the realization of goals while deemphasizing the importance of the ways in which these goals are pursued; and it helps create and sustain social structures with limited capacities to restrain the cultural pressures to disregard legal restraints. Out of their thesis, the authors form the hypothesis that high crime rates in America are intrinsic to the basic cultural commitments and institutional arrangements of American society. Both the cultural and structural underpinnings of U.S. communities are, for Messner and Rosenfeld, “organized for crime” (p. 6).

The intellectual roots of Crime and the American Dream are found in Durkheim and his examination of the critical role that social forces play in explaining human behavior. For Durkheim (1933), any explanation of human behavior must take into account the various social forces surrounding the individual. His key concept, anomie (a sense of normlessness brought about by the breakdown in social institutions), is a natural result, a state of confusion, when societies are transformed from the mechanical (traditional/rural) to the organic (modern/urban).

Messner and Rosenfeld rely on the later works by Merton (1938), however, and his expansion of Durkheim’s anomie, to provide the underlying premise for their own work. They accept Merton’s notion that motivations for crime do not result simply from the flaws, failures, and/or free choices of individuals and that a complete examination of crime ultimately must consider the sociocultural environments in which people are located. They suggest, however, that Merton’s argument, by itself, is not enough because it does not provide a “fully comprehensive, sociological explanation of crime in America” (Messner and Rosenfeld 1994, p. 15).

To achieve this comprehensive, sociological explanation (their sociological paradigm), Messner and Rosenfeld look to the “levels of explanation” in social research, namely, micro and macro. Primarily, micro explanations of crime focus on individual behavior, whereas macro explanations shift attention from individuals to social collectivities. Messner and Rosenfeld integrate six theories across these levels of explanations to form the theoretical argument for Crime and the American Dream. Their assumptions are detailed in the following.

1. Social learning (micro) theories are associated with cultural deviance (macro) theories that explain crime as the product of cultural (or subcultural) values and norms.

2. Social control (micro) theory is most closely connected with social disorganization (macro) theory as it refers to the inability of groups or communities to realize collective goals, including the goal of crime control.

3. Anomie (macro) is a result of strain (micro) experienced as a result of a differential distribution of opportunities to achieve highly valued goals.

Thus, for Messner and Rosenfeld, as communities become socially disorganized, they lose their ability to maintain sufficient control (both formal and informal) over their members such as to deter them from adopting delinquent lifestyles. As a result, subcultures can arise that create a new set of values and norms that can be learned in the same manner that values and norms in the mainstream culture are learned. In a situation of this sort, with institutions in decay, the problem is further exacerbated by an unequal
opportunity structure in which not only the institutions but also the individuals who compose them are likely to suffer strain, the result of which is Durkheim’s state of confusion (anomie).

According to these assumptions, Messner and Rosenfeld suggest that the answer to America’s crime problem is to be found in a strengthening of its institutions (family, school, and polity) through social reorganization. Part of this reorganization process will entail the reassessing of the cultural values found in American society with its “exaggerated emphasis on monetary success” (p. 76). For too long, say the authors, the economy has maintained such a grip on American life in general as to short-change families, schools, local communities, and even the one institution that is supposed to give a voice to Americans themselves—the political arena.

In their discussion on social structure and culture, Messner and Rosenfeld refer briefly to Marx. They draw from Marx’s “insight that the distribution of the means of consumption is ultimately dependent on the conditions of production themselves” (p. 108).

\[ \text{Marx's Contribution to Messner and Rosenfeld} \]

Messner and Rosenfeld do not fail to give some credit to Marx. Yet, their brief mention of the contribution Marxist criminology makes to their own work is more implicit than explicit and, therefore, easy for the reader to miss. To synthesize, this contribution stems from an argument that the economic mode of production in America (i.e., capitalism) sets up a society for conflict and crime. It forms the foundation of a society from which other social institutions arise—the institutions that, for Messner and Rosenfeld, become so important.

Marxist criminologists align with strain, social disorganization, and cultural theories at this juncture and with the assumptions in Crime and the American Dream. When Messner and Rosenfeld talk about value patterns such as achievement, individualism, universalism, and the fetishism of money, Marxists point out that these values are derivatives of a capitalist mode of production. Its members are socialized to overemphasize materialism, which quite often leads to greed. Yet, for Marxists, it is not the consciousness of men that determines their existence; rather, it is their social existence that determines their consciousness (Marx 1978). The cause of crime, then, is determined by social forces outside the control of individuals. Those who engage in criminal activity may be “freely acting,” but, for Marxists and for Messner and Rosenfeld, they are acting within a determined social, political, and economical setting.

Figure 6.1 argues conceptually that Marxist criminology can provide an explanation of how social relationships in a capitalist economic system (the social formation for Marx) can produce structural and economic inequalities. The economic and structural inequalities that arise in the social environment can produce a state of confusion (anomie). Within this anomic cultural environment, individuals are likely to suffer strain, and institutions (schools, communities, families, and the criminal justice system) lose their ability to control their members. As a result, a new culture may form whose members reject the norms and values of the mainstream culture. Within this subculture and, in particular, a delinquent subculture, a new set of norms and values are adopted that could provide fertile ground for the learning of criminal behavior.

The basic premise for this article is that Messner and Rosenfeld fail to adequately address the system under which social and economic inequalities arise, namely, a capitalist economy. This effort to call attention to the missing link (Marxist criminology) in their sociological paradigm is not completely at odds with the not-too-distant literature.

Examining further the similarities between traditional and radical criminological theories, Lynch and Groves (1989) argue that Merton failed to address exactly where the goals—which he argues are not capable of being achieved by all
in society—originate. Nor did Merton explain how various social classes are formed. Goals, according to Marxists, are materialistic in nature and, as such, can be traced to the "economic requirements of capitalism" (Lynch and Groves 1989, p. 74). Opportunity structures are, in Marxist terms, distributed along class lines created by stratifications that are dictated by society's economic structure. Classes are not created equally and, as pointed out by Lynch and Groves, do not "pop out of thin air" (p. 75). Thus they amend strain theory by supplying an explanation of how they are formed and further suggest the following.

Consistent with radical expectations, strain theorists suggest that crimes are not sporadic occurrences committed by isolated and abnormal individuals, but are regular and institutionalized features of a social system characterized by intense stratification and pervasive class conflict. Lynch and Groves (1989) also bridge social disorganization and control theories with Marxist criminology. This bridge, for Lynch and Groves, is based on Durkheim's argument that when there is a breakdown in institutional integration, an imbalance occurs and social disorganization is the result. Marxists criminologists view imbalance as a logical result of a capitalist economic mode of production. Messner and Rosenfeld do an excellent job of picking up the ball from this point and arguing how, under a system in which all other institutions take a backseat to the economic system, such an imbalance can occur. Social disorganization and control theories are solid arguments for a breakdown in community characteristics and the resulting loss of control over its members.

In the context of a community in which poverty and inequality are a way of life, a new set of values may form that seem to be in direct
opposition to those of the larger society (criminogenic in nature). Sutherland (1947) suggested that persons engage in criminal behavior because it is demanded by their culture; they commit crimes because they have learned that it is the correct thing to do. Marxist’s criminologists ask the question: Where do these criminogenic values come from? Like cultural goals, class strata, and socially disorganized institutions, they originate somewhere. Miller (1979) attempts to answer the question by arguing that “lower class structure is a distinctive tradition many centuries old with an integrity all its own” (p. 167).

However, Miller and other cultural theorists would have us believe that lower class culture is “something that floats through history and just happens to be adhered to by those at the bottom of the class hierarchy.” Argued from a Marxist perspective, persons are in fact motivated by their values, beliefs, and ideas, which in turn are determined by structurally defined conditions of life. Cultural theorists ignore what produces the idea of an act, or of a particular value system, and draw a line straight from the idea of committing a crime to the criminal act itself.

In Messner and Rosenfeld’s sociological paradigm, they include social learning theory as the micro analog of cultural theories; that is, criminal behavior is learned just like any other behavior is learned. They also include social control theory as the micro analog of social disorganization theory; that is, when a person’s bond to society is weak or broken, he or she is more likely to engage in deviant behavior. At the individual level, both social learning and social control variables are able to explain much of the variance in deviant behavior. This is to be expected given that those variables are the most proximate to the act itself. What researchers fail to recognize, however, is the fact that the more distal variables (i.e., the structural or macro-level variables) are contributing much to any model of crime. What is it about the way in which society is structured that allows—or disallows—social bonding to take place? What is it about the way in which society is structured that produces variation in value systems where social learning takes place?

The Interaction of Culture With Economic and Structural Components

In Crime and the American Dream, Messner and Rosenfeld (1994) state that the “American Dream is a broad cultural ethos that entails a commitment to the goal of material success to be pursued by everyone in society under conditions of open, individual competition” (p. 6). This cultural ethos sets up all members of American society to want the same things, to view success in terms of material items, with other success criteria (educational achievement, artistic talent, etc.) taking a backseat to monetary success. Messner and Rosenfeld call this phenomenon the “fetishism of money” and argue that the American Dream, then, can never actually be realized by anyone given that members of society always are working to accumulate more material goods.

Marxist criminologists ask the question: Just what is it about American society that produces this fetishism of money? Messner and Rosenfeld argue that in American society, individuals are encouraged to succeed “by any means necessary” (p. 9). They talk about universalism in which members of American society are socialized to “embrace the tenets of the dominant cultural ethos” (p. 9), an ethos that says that, regardless of your position in society, you can, and in fact should, achieve the American Dream.

Just how is it that success, in American culture, became so entangled with material goods? From a Marxist perspective, that question is not difficult to answer. During the Industrial Revolution, as American society moved from an agrarian to a market economy, individual workers were transformed from producers of goods for their own consumption to producers of goods that would produce profits for the factory owners. During this process, the early proletarians were twice “duped” by the capitalists. First, they were transformed into a “disposal industrial army” (Marx 1967, p. 632) to be used by the industrialists in the production of various commodities. Second, and here is the rub, the workers then again were transformed, through
a massive advertising campaign that took root during the 1920s, into the consumers of the very products they were producing. Workers were paid wages that barely kept their families housed, fed, and clothed and then were taught that no longer was it enough to have what they needed in life to survive; rather, somehow they could be more “civilized,” and not “social failures,” once a certain amount of the produced commodities were accumulated (Ewen 1976, pp. 42–44).

For industry to succeed, it had to create in workers a desire to consume. What better way to mobilize the desires of individuals than through massive advertising. In 1926, U.S. President Calvin Coolidge remarked that advertising, if applied correctly, could be the “method by which the desire is created for better things” (in Ewen 1976, p. 37). The new advertising age was up and running, and with it came a host of ads that were meant to keep the workers dissatisfied with their way of life; dissatisfied customers, after all, “are much more profitable than satisfied ones” (p. 39). A new culture was created with industry, and thus the economy, becoming the “captain of consciousness” for the new army of workers (Ewen 1976). A sense of “excessiveness” replaced “thrift” as the old ways were usurped by this new culture of mass consumption, a social phenomenon that many would argue is very much alive and well in American society today. Messner and Rosenfeld argue that this drive to accumulate material goods contributes greatly to the dark side of the American Dream, and suggest that all are equally encouraged to consume but that there is a “relatively weak emphasis on the importance of using the legitimate means to do so” (p. 69).

Given an overemphasis on monetary success coupled with an unequal means to achieve it, it is more likely than not that individuals could, under these circumstances, become frustrated over the inability to accumulate material goods. The concept of “relative deprivation” has a rich history in much of the literature and describes just such a situation. Gurr (1970) defines relative deprivation as “actors’ perception of discrepancy between their value expectations and their value capabilities” (p. 24). Value is a term used to describe the goods, and the conditions of life in general, to which individuals believe they are entitled. Gurr uses relative deprivation to argue that the potential for collective violence could vary strongly with the “intensity and scope” (p. 24) of relative deprivation among members of a group.

If, as has been argued, there is as much a cultural component that produces crime in one capitalist country—namely, in America—as there is a structural component, then one question comes quickly to mind: How is it that in other capitalist nations, the crime rates have not soared to the same heights as the crime rate seemingly has soared in America? Is it because the institutions themselves vary greatly from one country to the other, or could it be that not so heavy an emphasis is placed on mass consumerism and the accumulation of material goods in other countries relative to that found in the United States?

Initial reactions to this question might produce, and not unrightfully so, answers coming from perspectives based on the easy accessibility of guns in American society or the fact that minorities are disproportionately represented in arrest reports in the United States. Messner and Rosenfeld (1994) address both of these issues in great detail. They argue that although rates of gun ownership are much higher in America than they are in other industrial nations, if gun-related homicides were left out of the U.S. homicide rate, then the United States still would have a non-gun homicide rate higher than the total homicide rates of other industrial nations. Messner and Rosenfeld argue further that although lethal violence among young African American men is extremely high, this, in and of itself, does not explain the differences in homicide rates between the United States and other industrial societies. Excluding African Americans from the equation, Messner and Rosenfeld state that the “homicide rate for Whites is more than four times the average rate of homicide” among other industrial nations (p. 29). Thus the answer to the question of what explains the high rate of violent crime in the United States cannot be reduced to guns and ethnicity.
When opponents of a Marxist perspective attempt to show how the argument that “capitalism produces crime” fails, they usually point to the Japanese society. In spite of low levels of crime in Japanese society, however, the fact remains that the country is not crime free. According to Fenwick (1985), Japan does have concerns in areas such as juvenile delinquency, drug abuse, and organized crime. Although much lower than other industrial nations, the Japanese crime rate has been on the increase since the late 1970s. Looking specifically at increases in juvenile crime, Chang (1988) offers the following reason for this increase. In Tokyo, the Japanese city with the highest mobility rate, the value system of youth has begun a transformation of sorts. No longer is personal interdependence the key to social status and satisfaction; money quickly has become the ticket to personal success. Youths commute long distances to schools and neighborhoods where their families are not known. Instead of living in houses owned by their forefathers for generations, they live in crowded multiple-family housing units—a situation not conducive to pride and healthy self-images. Under these circumstances, the notion of honor, so important in the Japanese culture, begins to break down, and the responsibility to the community and the family is weakened.

**Punitive Crime Control: America’s Imprisonment Binge**

In a society with its institutions in disarray and thus unable to maintain control over its members, and in a society where the cultural expectations are geared toward the accumulation of material goods with unequal means to achieve those goods, crime often is an unintended consequence. As crime increases, so too does the method of social control over members of society. It follows, then, that America’s “war on crime” would result in higher numbers of incarceration for members of its lower classes given that this war has been waged on “street crime” as opposed to white-collar crime. Marxist criminologists view laws in a capitalist society as tilted in favor of the ruling class and more punitive toward the lower classes.

Inner-city youths have been, and often unrightfully so, connected with the use and sale of illegal drugs. The war on drugs, with its more punitive sentencing policies for drug offenders, has focused heavily on crack cocaine. Because this drug is mainly sold and used in inner-city communities, Hispanics and African Americans are the ones who have felt the strong arm of the law. As of 1989, the African American prison population, for example, had increased to 46%—from 21% of all prison admissions in 1926, when the race of the prison population began to be recorded (Irwin and Austin 1994).

In It’s About Time: America’s Imprisonment Binge, Irwin and Austin (1994) argue that punitive approaches to crime have left America’s correctional institutions overburdened and unable to meet the demands of a coerced public. This coercion stems from a public misperception about crime brought about primarily by the attention paid to such by politicians and the media. Marxist criminologists would relate this misperception to the concept of “false consciousness.” The attention politicians have paid to crime has acted as a smokescreen—a diversion tactic of sorts. With the public’s attention focused on crime, and with a public willing to pay whatever cost it must to get the crime rate down, issues such as the threat of nuclear war, unemployment, high living costs, and the economy are placed on the back burner. Irwin and Austin (1994) point out that any attempts made to solve these problems, along with a host of other social problems, would be met by the powerful forces of political, legal, and economic interest groups—an argument with which Marxist criminologists would readily agree.

As Messner and Rosenfeld point out, white-collar crime costs society approximately $200 billion a year—roughly 20 times the annual monetary loss or damage due to street crimes in the
United States. Irwin and Austin (1994) cite a 1990 report by the U.S. Department of Justice’s National Crime Victim Survey that puts the cost of crimes to victims at about $19.2 billion. Still, it is not chief executive officers or the owners (including stockholders) of major corporations who form the bulk of the U.S. inmate population.

Messner and Rosenfeld, as well as Irwin and Austin, move down the crime continuum and look closely at the inequalities in America’s social structure that lead individuals to the threshold of the criminal justice system. The former spend a great amount of energy arguing that America’s social system is tilted in favor of the economy—an argument with which Marxist criminologists would not disagree. The latter argue that America must begin to rethink its punitive approach to crime because it cannot afford the price tag of exponential incarceration—an argument that would get no disagreement from Marxist criminologists. To “catch criminals and lock them up; if they hit you, hit them back” may seem a commonsense approach to crime (Menninger 1969, p. 5). As expressed by Menninger (1969), it is also a commonsense approach that if it gets dark, you go to bed. Yet, the uncommon sense of science has made it no longer necessary to go to bed when it gets dark and has taught us that simply to lock up individuals who commit crimes does little to curtail them (p. 5).

Theory and Its Application in the Reduction of Crime in American Society

Before moving to a discussion of solutions for America’s crime problem, there is one clarification with regard to Marxist criminology that should be made. Some factions of Marxist criminology believe that no solution outside of an overthrow of the current economic mode of production in America (i.e., capitalism) can expect to turn around the crime tide—be it street crime or suite crime. Neo-Marxists, however, take a more realistic approach through the realization that, as Marx himself proclaimed, history will usher in a new economic order in its own good time. In the meantime, while we wait and agitate for large-scale transformation, there is a great deal to be accomplished in terms of middle-range policy alternatives which do not compromise any overall design for fundamental social change.

What follows is a list of these policy alternatives offered up by Marxist criminologists.

1. Crime should be defined according to the amount of harm inflicted on society. The definition of crime and the practice of crime control should no longer be organized along class lines.

2. Reduce the capacity of capital to displace labor. Develop tax initiatives to establish a surcharge on any industry attempting to close plants or permanently reduce the workforce in a given community, introduce legislation requiring the retraining and placement of displaced workers, and increase minimum wages to a sufficient amount so as to decrease the numbers of working poor.

3. Reduce inequality in the existing social structure, because it is a strong predictor of U.S. homicide rates.

4. Abolish mandatory sentences that discriminate against lower class America and greatly overburden its correctional institutions.

5. Curb white-collar crime by improving enforcement through the allocation of more resources to regulatory agencies, implementing structural reforms, and enacting political reforms designed to minimize conflict of interest.

6. Take a closer look at the enactment of laws that require punitive governmental
intervention such as those that create new classes of criminals, for example, laws that criminalize the homeless.

In their passion for seeking social change, critical theorists quite often make the same mistake as their more conservative counterparts. They wrap themselves in a rhetoric that is overbearing and quite often misunderstood by fellow theorists as well as the public and decision makers. The result often is deadlock; nothing is accomplished, and society continues down a spiraling path of institutional decay and loss of control over its members.

The future of theoretical development should take a two-prong approach. One is to be found in a coming together of consensus and conflict theorists. As shown here, both camps are closer to agreement than much of the literature would dictate. The other approach is to move the research findings out of the secluded halls of academe and into the halls of the body politic. With the increase in social science techniques, criminologists, sociologists, psychologists, and biologists all have produced a sufficient amount of evidence supporting possible solutions to the problem of crime in America. Until the message reaches the public, however, these findings will forever be concealed in the dustbins of academe.

References


Discussion Questions

1. Someone once said about Marxism: “Beautiful theory; wrong species.” How would Sims respond to this one-liner criticism of her criminological orientation?

2. Sims complains about the severe penalties applied to the sale of crack cocaine. Has the black community been harmed by or benefited from these penalties?

3. Sims writes about laws that criminalize the homeless. Examine your state’s criminal codes to see whether being homeless has been criminalized.
In this article, Meda Chesney-Lind argues that feminist criminology, as an outgrowth of the second wave of feminism, came of age during a period of considerable change and political optimism. She avers that it now inhabits a social and political landscape radically altered and increasingly characterized by the politics of backlash. Given feminist criminology’s dual focus on gender and crime, it is uniquely positioned to respond to two core aspects of the current backlash political agenda: racism and sexism. To do this effectively, feminist criminology must prioritize research on the race/gender/punishment nexus. This article provides three examples of how such a focus exposes the crucial roles played by constructions of the crime problem as well as current crime control strategies in the ratification and enforcement of antifeminist and racist agendas. She concludes by asserting that the field must seek creative ways to blend scholarship with activism while simultaneously providing support and encouragement to emerging feminist criminologists willing to take such risks.

The enormity of girls’ and women’s victimization meant that the silence on the role of violence in women’s lives was the first to attract the attention of feminist activists and scholars. Compared to the wealth of literature on women’s victimization, interest in girls and women who are labeled, tried, and jailed as “delinquent” or “criminal” was slower to fully develop in part because scholars of “criminalized” women and girls had to contend early on with the masculinization (or “emancipation”) hypothesis of women’s crime, which argues in part that “in the same way that women are demanding equal opportunity in the fields of legitimate endeavor, a similar number of determined women are forcing their way into the world of major crimes” (Adler, 1975, p. 3). Feminist criminologists, as well as mainstream criminologists, debated the

**Feminist Criminology in the 20th Century: Looking Backward, Looking Forward**

The feminist criminology of the 20th century clearly challenged the overall masculinist nature of theories of crime, deviance, and social control by calling attention to the repeated omission and misrepresentation of women in criminological theory and research. Turning back the clock, one can recall that prior to path-breaking feminist works on sexual assault, sexual harassment, and wife abuse, these forms of gender violence were ignored, minimized, and trivialized. Likewise, girls and women in conflict with the law were overlooked or excluded in mainstream works while demonized, masculinized, and sexualized in the marginalized literature that brooded on their venality.

nature of that relationship for the next decade and ultimately concluded it was not correct (Chesney-Lind, 1989), but this was a costly intellectual detour.

Instead of the “add women and stir” (Chesney-Lind, 1988) approach to crime theorizing of the past century (which often introduces gender solely as a “variable” if at all), new important work on the gender/crime nexus theorizes gender. This means, for example, drawing extensively on sociological notions of “doing gender” (West & Zimmerman, 1987) and examining the role of “gender regimes” (Williams, 2002) in the production of girls’ and women’s behavior. Contemporary approaches to gender and crime (see Messerschmidt, 2000) tend to avoid the problems of reductionism and determinism that characterize early discussions of gender and gender relations, stressing instead the complexity, tentativeness, and variability with which individuals, particularly youth, negotiate (and resist) gender identity.

Feminist Criminology and the Backlash

Feminist criminology in the 21st century, particularly in the United States, finds itself in a political and social milieu that is heavily affected by the backlash politics of a sophisticated and energized right wing—a context quite different from the field’s early years when the initial intellectual agenda of the field evolved. Political backlash eras have long been a fixture of American public life. The centrality of both crime and gender in the current backlash politics means that feminist criminology is uniquely positioned to challenge right-wing initiatives. To do this effectively, however, the field must put an even greater priority on theorizing patriarchy and crime, which means focusing on the ways in which the definition of the crime problem and criminal justice practices support patriarchal practices and worldviews.

To briefly review, patriarchy is a sex/gender system in which men dominate women and what is considered masculine is more highly valued than what is considered feminine. Patriarchy is a system of social stratification, which means that it uses a wide array of social control policies and practices to ratify male power and to keep girls and women subordinate to men. Often, the systems of control that women experience are explicitly or implicitly focused on controlling female sexuality. Not infrequently, patriarchal interests overlap with systems that also reinforce class and race privilege, hence, the unique need for feminist criminology to maintain the focus on intersectionality that characterizes recent research and theorizing on gender and race in particular.

Again, in this era of backlash, the formal system of social control (the law and criminal justice policies) play key roles in eroding the rights of both women and people of color, particularly African Americans but increasingly, other ethnic groups as well. Feminist criminology is, again, uniquely positioned to both document and respond to these efforts. To theorize patriarchy effectively means that we have done cutting-edge research on the interface between patriarchal and criminal justice systems of control and that we are strategic about how to get our findings out to the widest audience possible, issues to which this article now turns.

Race, Gender, and Crime

America’s long and sordid history of racism and its equally disturbing enthusiasm for imprisonment must be understood as intertwined, and both of these have had a dramatic effect on African American women in particular. More than a century ago, W. E. B. Du Bois saw the linkage between the criminal justice system and race-based systems of social control very clearly. Commenting on the dismal failure of “reconstruction,” he concluded: “Despite compromise, war, and struggle, the Negro is not free. In well-nigh the whole rural South the black farmers are peons, bound by law and custom to an economic slavery from which the only escape is death or the penitentiary” (as quoted in Johnson, 2003, p. 284).
Although the role of race and penal policy has received increased attention in recent years, virtually all of the public discussion of the issues has focused on African American males. More recent, the significant impact of mass incarceration on African American and Hispanic women has received the attention it deserves. Current data show that African American women account for “almost half (48 percent)” of all the women we incarcerate (Johnson, 2003, p. 34). Mauer and Huling’s (1995) earlier research adds an important perspective here; they noted that the imprisonment of African American women grew by more than 828% between 1986 and 1991, whereas that of White women grew by 241% and of Black men by 429%. Something is going on, and it is not just about race or gender; it is about both—a sinister synergy that clearly needs to be carefully documented and challenged.

An examination of Black women’s history from slavery through the Civil War and the post-war period certainly justifies a clear focus on the role that the criminal justice system played in the oppression of African American women and the role of prison in that system. And the focus is certainly still relevant because although women sometimes appear to be the unintended victims of the war on drugs, this “war” is so heavily racialized that the result can hardly be viewed as accidental. African American women have always been seen through the “distorted lens of otherness,” constructed as “subservient, inept, oversexed and undeserving” (Johnson, 2003, pp. 9–10), in short, just the “sort” of women that belong in jail and prison.

Media Demonization and the Masculinization of Female Offenders

In her book Backlash: The Undeclared War Against American Women, Susan Faludi (1991) was quick to see that the media in particular were central, not peripheral, to the process of discrediting and dismissing feminism and feminist gains. She focused specific attention on mainstream journalism’s efforts to locate and publicize those “female trends” of the 1980s that would undermine and indict the feminist agenda. Stories about “the failure to get husbands, get pregnant, or properly bond with their children” were suddenly everywhere, as were the very first stories on “bad girls.”

Faludi’s (1991) recognition of the media fascination with bad girls was prescient. The 1990s would produce a steady stream of media stories about violent and bad girls that continues unabated in the new millennium. Although the focus would shift from the “gangsta girl,” to the “violent girl,” to the “mean girl” (Chesney-Lind & Irwin, 2004), the message is the same: Girls are bad in ways that they never used to be.

Media-driven constructions such as these generally rely on commonsense notions that girls are becoming more like boys on both the soccer field and the killing fields. Implicit in what might be called the “masculinization” theory of women’s violence is the idea that contemporary theories of violence (and crime more broadly) need not attend to gender but can, again, simply add women and stir. The theory assumes that the same forces that propel men into violence will increasingly produce violence in girls and women once they are freed from the constraints of their gender. The masculinization framework also lays the foundation for simplistic notions of “good” and “bad” femininity, standards that will permit the demonization of some girls and women if they stray from the path of “true” (passive, controlled, and constrained) womanhood.

Ever since the first wave of feminism, there has been no shortage of scholars and political commentators issuing dire warnings that women’s demand for equality would result in a dramatic change in the character and frequency of women’s crime. Again, although this perspective was definitely refuted by the feminist criminology of the era, media enthusiasm about the idea that feminism encourages women to become more like men and, hence, their “equals” in crime, remains undiminished.
In virtually all the stories on this topic, the issue is framed as follows. A specific and egregious example of female violence is described, usually with considerable, graphic detail about the injury suffered by the victim—a pattern that has been dubbed “forensic journalism” (Websdale & Alvarez, 1997, p. 123). In the Mercury News article, for example, the reader hears how a 17-year-old girl, Linna Adams, “lured” the victim into a car where her boyfriend “pointed a .357 magnum revolver at him, and the gun went off. Rodrigues was shot in the cheek, and according to coroner’s reports, the bullet exited the back of his head” (Guido, 1998, p. 1B).

These forensic details are then followed by a quick review of the Federal Bureau of Investigation’s arrest statistics showing what appear to be large increases in the number of girls arrested for violent offenses. Finally, there are quotes from “experts,” usually police officers, teachers, or other social service workers, but occasionally criminologists, interpreting the narrative in ways consistent with the desired outcome: to stress that girls, particularly African American and Hispanic girls whose pictures often illustrate these stories, are getting more and more like their already demonized male counterparts and, hence, becoming more violent.

Although arrest data consistently show dramatic increases in girls’ arrests for “violent” crimes (e.g., arrests of girls for assault climbed an astonishing 40.9%, whereas boys’ arrests climbed by only 4.3% in the past decade; Federal Bureau of Investigation, 2004), other data sets, particularly those relying on self-reported delinquency, show no such trend (indeed they show a decline; Chesney-Lind, 2004). It seems increasingly clear that forces other than changes in girls’ behavior have caused shifts in girls’ arrests (including such forces as zero-tolerance policies in schools and mandatory arrests for domestic violence). There are also indications that although the hype about bad girls seems to encompass all girls, the effects of enforcement policies aimed at reducing “youth violence” weigh heaviest on girls of color whose families lack the resources to challenge such policies.

Between 1989 and 1998, girls’ detentions increased by 56% compared to a 20% increase seen in boy’s detentions, and the “large increase was tied to the growth in the number of delinquency cases involving females charged with person offenses (157%)” (Harms, 2002, p. 1). At least one study of girls in detention suggests that “nearly half” the girls in detention are African American girls, and Latinas constitute 13%; Caucasian girls, who constitute 65% of the girl population, account for only 35% of those in detention.

It is clear that two decades of the media demonization of girls, complete with often racialized images of girls seemingly embracing the violent street culture of their male counterparts, coupled with increased concerns about youth violence and images of “girls gone wild,” have entered the self-fulfilling prophecy stage. It is essential that feminist criminology understand that in a world governed by those who self-consciously manipulate corporate media for their own purposes, newspapers and television may have moved from simply covering the police beat to constructing crime “stories’ that serve as a “nonconspiratorial source of dominant ideology” (Websdale & Alvarez, 1997, p. 125). Feminist criminology’s agenda must consciously challenge these backlash media narratives, as well as engage in “newsmaking criminology” (Barak, 1988), particularly with regard to constructions of girl and women offenders.

Criminalizing Victimization

Many feminist criminologists have approached the issue of mandatory arrest in incidents of domestic assault with considerable ambivalence. On one hand, the criminalization of sexual assault and domestic violence was in one sense a huge symbolic victory for feminist activists and criminologists alike. After centuries of ignoring the private victimizations of women, police and courts were called to account by those who founded rape crisis centers and shelters for battered women and those whose path-breaking research laid the foundation for major policy...
and legal changes in the area of violence against women.

On the other hand, the insistence that violence against women be handled as a criminal matter threw victim advocates into an uneasy alliance with police and prosecutors—professions that feminists had long distrusted and with good reason. Ultimately, the combined effects of the early scientific evidence; political pressure from the attorney general of the United States, the American Bar Association, and others; and the threat of lawsuits against departments that failed to protect women from batterers “produced nearly unanimous agreement that arrest was the best policy for domestic violence” (Ferraro, 2001, p. 146).

As the academic debate about the effectiveness of arrest in domestic violence situations continued unabated, the policy of “mandatory arrest” became routinized into normal policing and quite quickly, other unanticipated effects began to emerge. When arrests of adult women for assault increased by 30.8% in the past decade (1994 to 2003), whereas male arrests for this offense fell by about 5.8%, just about everybody from the research community to the general public began to wonder what was happening. Although some, such as criminologist Kenneth Land, quoted in a story titled “Women Making Gains in Dubious Profession: Crime,” attributed the increase to “role change over the past decades” that presumably created more females as “motivated offenders” (Anderson, 2003, p. 1), others were not so sure. Even the Bureau of Justice Statistics looked at a similar trend (increasing numbers of women convicted in state courts for “aggravated assault”) and suggested the numbers might be “reflecting increased prosecution of women for domestic violence” (Greenfeld & Snell, 1999, pp. 5–6).

Despite the power of the stereotypical scenario of the violent husband and the victimized wife, the reality of mandatory arrest practices has always been more complicated. Early on, the problem of “mutual” arrests—the practice of arresting both the man and the woman in a domestic violence incident if it is not clear who is the “primary” aggressor—surfaced as a concern. Nor has the problem gone away, despite efforts to clarify procedures; indeed, many jurisdictions report similar figures. In Wichita, Kansas, for example, women were 27% of those arrested for domestic violence in 2001. Prince William County, Maryland, saw the number of women arrested for domestic violence triple in a 3-year period, with women going from 12.9% of those arrested in 1992 to 21% in 1996. In Sacramento, California, even greater increases were observed; there the number of women arrested for domestic violence rose by 91% between 1991 and 1996, whereas arrests of men fell 7% (Brown, 1997).

Susan Miller’s (2005) study of mandatory arrest practices in the state of Delaware adds an important dimension to this discussion. Based on data from police ride alongs, interviews with criminal justice practitioners, and observations of groups run for women who were arrested as offenders in domestic violence situations, Miller’s study comes to some important conclusions about the effects of mandatory arrest on women. According to beat officers S. Miller (2005) and her students rode with, in Delaware, they do not have a “pro-arrest policy, we have a pro-paper policy” (p. 100) developed in large part to avoid lawsuits. As a consequence, although the officers “did not believe there was an increase in women’s use of violence” (S. Miller, 2005, p. 105), “her fighting back now gets attention too” (S. Miller, 2005, p. 107) because of this sort of broad interpretation of what constitutes domestic violence. None of the social service providers and criminal justice professionals S. Miller (2005) spoke with felt women had become more aggressively violent; instead, they routinely called the women “victims.” They noted that at least in Delaware, as the “legislation aged,” the name of the game began to be “get to the phone first” (S. Miller, 2005, p. 127).

Essentially, it appears that many mandatory arrest policies have been interpreted on the ground to make an arrest if any violent “incident” occurs, rather than considering the context within which the incident occurs (Bible, 1998). Like problematic measures of violence that
simply count violent events without providing information on the meaning and motivation, this definition of domestic violence fails to distinguish between aggressive and instigating violence from self-defensive and retaliatory violence. According to S. Miller (2005) and other critics of this approach, these methods tend to produce results showing “intimate violence is committed by women at an equal or higher rate than by men” (p. 35). Although these findings ignited a firestorm of media attention about the “problem” of “battered men” in the United States (Ferraro, 2001, p. 137), the larger question of how to define domestic violence in the context of patriarchy is vital. Specifically, much feminist research of the sort showcased here is needed on routine police and justice practices concerning girls’ and women’s “violence.”

Women’s Imprisonment and the Emergence of Vengeful Equity

When the United States embarked on a policy that might well be described as mass incarceration, few considered the impact that this correctional course change would have on women. Yet the number of women in jail and prison continues to soar (outstripping male increases for most of the past decade), completely untethered from women’s crime rate, which has not increased by nearly the same amount. The dimensions of this shift are staggering: For most of the 20th century, we imprisoned about 5,000 to 10,000 women. At the turn of the new century, we now have more than 100,000 women doing time in U.S. prisons (Harrison & Beck, 2004, p. 1). Women’s incarceration in the United States not only grew during the past century but also increased tenfold; and virtually all of that increase occurred in the final two decades of the century.

The number of women sentenced to jail and prison began to soar at precisely the same time that prison systems in the United States moved into an era that abandoned any pretense of rehabilitation in favor of punishment. As noted earlier, decades of efforts by conservative politicians to fashion a crime policy that would challenge the gains of the civil rights movement as well as other progressive movements in the 1960s and 1970s had, by the 1980s, born fruit (Chambliss, 1999). Exploiting the public fear of crime, particularly crime committed by “the poor, mostly nonwhite, young, male inner-city dwellers” (Irwin, 2005, p. 8), all manner of mean-spirited crime policies were adopted. The end of the past century saw the war on drugs and a host of other “get tough” sentencing policies, all of which fueled mass imprisonment (see Mauer, 1999).

Although feminist legal scholars can and do debate whether equality under the law is necessarily good for women, a careful look at what has happened to women in U.S. prisons might serve as a disturbing case study of how correctional equity is implemented in practice. Such a critical review is particularly vital in an era where decontextualized notions of gender and race “discrimination” are increasingly and successfully deployed against the achievements of both the civil rights and women’s movements. Consider the account of Martha Sierra’s experience of childbirth. As she

writhed in pain at a Riverside hospital, laboring to push her baby into the world, Sierra faced a challenge not covered in the childbirth books: her wrists were shackled to the bed. Unable to roll on her side or even sit straight up, Sierra managed as best she could. The reward was fleeting…she watched as her daughter, hollering and flapping her arms, was taken from the room (Warren, 2005, p. A1).

Sierra’s story is unfortunately all too familiar to anyone who examines gender themes in modern correctional responses to women inmates. In fact, her experience is less horrific than the case of Michelle T., a former prisoner from Michigan who told Human Rights Watch (1996) that she was accompanied by two male correctional officers into the delivery room: “According to
Michelle T., the officers handcuffed her to the bed while she was in labor and positioned themselves where they could view her genital area while giving birth. She told [Human Rights Watch] they made derogatory comments about her throughout the delivery” (p. 249).

Basically, male prisoners have long used visits to hospitals as opportunities to escape, so correctional regimes have generated extensive security precautions to assure that escapes do not occur, including shackling prisoners to hospital beds (Amnesty International, 1999, p. 63). This is the dark side of the equity or parity model of justice—one which emphasizes treating women offenders as though they were men, particularly when the outcome is punitive, in the name of equal justice—a pattern that could be called vengeful equity.

Other examples of vengeful equity can be found in the creation of women’s boot camps, often modeled on the gender regimes found in military basic training. These regimes, complete with uniforms, shorn hair, humiliation, exhausting physical training, and harsh punishment for even minor misconduct have been traditionally devised to “make men out of boys.” As such, feminist researchers who have examined them contended, they “have more to do with the rites of manhood” than the needs of the typical woman in prison (Morash & Rucker, 1990). Reviewing the situation of women incarcerated in five states (California, Georgia, Michigan, Illinois, and New York) and the District of Columbia, Human Rights Watch (1996) concluded,

Our findings indicate that being a woman prisoner in U.S. state prisons can be a terrifying experience. If you are sexually abused, you cannot escape from your abuser. Grievance or investigatory procedures where they exist, are often ineffectual, and correctional employees continue to engage in abuse because they believe they will rarely be held accountable, administratively or criminally. Few people outside the prison walls know what is going on or care if they do know. Fewer still do anything to address the problem. (p. 1)

Finally, it appears that women in prison today are also recipients of some of the worst of the more traditional, separate-spheres approach to women offenders. Correctional officers often count on the fact that women prisoners will complain, not riot, and as a result, often punish women inmates for offenses that would be ignored in male prisons. McClellan (1994) found this pattern quite clearly in her examined disciplinary practices in Texas prisons. Following up two cohorts of prisoners (one male and one female), she found most men in her sample (63.5%) but only a handful of women (17.1%) had no citation or only one citation for a rule violation. McClellan found that women prisoners not only received numerous citations but also were charged with different infractions than men. Most frequent, women were cited for “violating posted rules,” whereas males were cited most often for “refusing to work” (McClellan, 1994, p. 77). Women were more likely than men to receive the most severe sanctions.

Much good, early feminist criminology focuses on the conditions of girls and women in training schools, jails, and prisons. Unfortunately, that work is now made much harder by a savvy correctional system that is extremely reluctant to admit researchers, unless the focus of the research is clearly the woman prisoner and not the institution. That said, there is much more need for this sort of criminology in the era of mass punishment, and the work that is being done in this vein points to the need for much of the same. Huge numbers of imprisoned girls and women are targeted by male-based systems of “risk” and “classification” and then subjected to male-based interventions such as “cognitive behaviorism” to address their “criminal” thinking as though they were men. Good work has also been done on the overuse of “chemical restraints” with women offenders (Leonard, 2002). In short, as difficult as it might be to do, in this era of mass imprisonment,
feminist criminology needs to find creative ways to continue to engage core issues in girls’ and women’s carceral control as a central part of our intellectual and activist agenda.

Theorizing Patriarchy: Concluding Thoughts

Given the focus of the backlash, this article argues that feminist criminology is uniquely positioned to do important work to challenge the current political backlash. To do so effectively, however, it is vital that in addition to documenting that gender matters in the lives of criminalized women, we engage in exploration of the interface between systems of oppression based on gender, race, and class. This work will allow us to make sense of current crime-control practices, particularly in an era of mass incarceration, so that we can explain the consequences to a society that might well be ready to hear other perspectives on crime control if given them. Researching as well as theorizing both patriarchy and gender is crucial to feminist criminology so that we can craft work, as the right wing does so effectively, that speaks to backlash initiatives in smart, media-savvy ways. To do this well means foregrounding the role of race and class in our work on gender and crime, as the work showcased here makes clear. There is simply no other way to make sense of key trends in both the media construction of women offenders and the criminal justice response that increasingly awaits them, particularly once they arrive in prison.

Finally, we must also do work that will document and challenge the policy and research backlash aimed at the hard fought and vitally important feminist and civil rights victories of the past century. To do any less would be unthinkable to those who fought so long to get us where we are today, and so it must be for us.

References

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**DISCUSSION QUESTIONS**

1. What does Chesney-Lind mean by “backlash”?
2. Give an example of an anti-feminist agenda mentioned and decide whether you agree.
3. Give an example of a racist agenda mentioned in the article. Do you agree with the characterization?