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Routledge Handbook of Critical Criminology

Edited by Walter S. DeKeseredy
and Molly Dragiewicz

The *Routledge Handbook of Critical Criminology* is a collection of original essays specifically designed to offer students, faculty, policymakers, and others an in-depth overview of the most up-to-date empirical, theoretical, and political contributions made by critical criminologists around the world. Special attention is devoted to new theoretical directions in the field, such as cultural criminology, masculinities studies, and feminist criminologies.

Its diverse essays cover not only the history of critical criminology and cutting-edge theories, but also the variety of research methods used by leading scholars in the field and the rich data generated by their rigorous empirical work. In addition, some of the chapters suggest innovative and realistic short- and long-term policy proposals that are typically ignored by mainstream criminology. These progressive strategies address some of the most pressing social problems facing contemporary society today, which generate much pain and suffering for socially and economically disenfranchised people.

The *Handbook* is a major work in redefining existing areas within the context of international multidisciplinary critical research, and in highlighting emerging areas. It is specifically designed to be a comprehensive resource for undergraduate and post-graduate students, researchers, and policymakers.

Walter S. DeKeseredy is Professor of Criminology at the University of Ontario Institute of Technology (UOIT). He has published 16 books and over 100 scientific journal articles and book chapters on topics such as woman abuse, crime and poverty in public housing, and women in conflict with the law. In 2008, the Institute on Violence, Abuse and Trauma gave him the Linda Saltzman Memorial Intimate Partner Violence Researcher Award. He also jointly received the 2004 Distinguished Scholar Award from the American Society of Criminology's (ASC) Division on Women and Crime and the 2007 inaugural UOIT Research Excellence Award. In 1995, he received the Critical Criminologist of the Year Award from the ASC's Division on Critical Criminology (DCC) and in 2008 the DCC gave him the Lifetime Achievement Award.

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Antifeminist backlash and critical criminology

Molly Dragiewicz

Introduction¹

In spite of the doubtful empirical basis for the current belief that female criminality is changing substantially, it is nonetheless achieving the status of a legitimate account of contemporary trends. The argument that this is *caused* by female emancipation is also gathering credence every time it is uttered, whether in academic journals or on the media. (Smart, 1979, p. 55, emphasis in original)

The violence to liberty done by the *NSA* and the *Patriot Act* distracts the public from the more substantial oppression realized in *Family Law Court*, under the influence of the *Violence against Women Act (VAWA)*, *feminist jurisprudence*, and *child custody legal practice*. Together, these radical social engineering mechanisms have institutionalized misandry and helped produce a male suicide holocaust. (Bergamini, 2010, emphasis in original)

The backlash against feminist criminology is intertwined with broader resistance to feminism and other progressive social movements. Carol Smart noted in 1979 that changes in women's social or economic status have long been perceived as threats to the patriarchal gender order and are therefore "viewed with considerable misgiving, whilst any reinforcement of the value of women's traditional, domestic role has been perceived as a stand against further social decline and disorder" (Smart, 1979, p. 50). The contemporary backlash exists at the nexus of economic and ideological retrenchment seeking to enforce the hegemony of neoliberal conceptions of justice as formal equality. Critical criminology is linked to the backlash against feminism in two key ways. First, critical criminology is an important location for the study of antifeminism and its implications. Second, criminologists who study women or gender have frequently been attacked by antifeminist scholars and commentators.

Although feminist approaches to criminology have included efforts to direct attention to women as criminals, victims, and players in the criminal justice system, feminist criminologies go beyond the study of what are putatively "women's issues" to investigate the ways in which "gender inequality *intersects* with multiple inequalities, including racism, classism,

heterosexism, ageism, and ableism, to form an interlocking system of oppression that impacts women's and men's everyday lives" and experiences of crime (see Renzetti, Chapter 9 above). Both attention to gender as a factor in crime and critiques of existing hierarchies of power have been the object of antifeminist backlash.

What is antifeminist backlash?

Backlash is not simply the interaction of two opposing forces. Nor is it the juxtaposition of two similarly situated authorities or interests. Instead, it is a term that is used to refer to reaction against progressive social change. Susan Faludi's (1991) book *Backlash: The Undeclared War against American Women* explained, "The truth is that the last decade has seen a powerful counterassault on women's rights, a backlash, an attempt to retract the handful of hard-won victories that the feminist movement did manage to win for women" (p. xi). Faludi observed that not only did the backlash seek to undo the changes wrought by feminism, but also it sought to blame feminism for all of women's problems, as well as a host of other social ills. Faludi's book astutely addressed manifestations of backlash in popular culture, politics, and academia, the key sites for the deployment of power and knowledge. Arguably, these are the locations where culture is negotiated. Rather than a new phenomenon, backlash is a "recurring feature in the history of feminism. Feminist successes have often been met, not only with resistance, but with renewed determination by patriarchal forces to maintain and increase the subordination of women" (Walby, 1993, p. 79).

Efforts to reaffirm structural inequalities have undergone a transformation from the blatantly discriminatory laws of yesteryear to more subtle efforts that appropriate the neoliberal language of formal equality. Accordingly, recent backlash efforts often promote "blindness" of important cultural categories such as race and gender as a solution to social problems (DeKeseredy & Dragiewicz, 2007; Ferber, 2007). This push to enforce formal equality in the context of pervasive and persistent structural inequality seeks to preserve injustice along the lines of gender, race, and class.

Backlash works by simultaneously denying and justifying social inequality. This involves the individualization of problems that progressive social movements sought to radically contextualize. In effect, backlash rhetoric seeks to sever the personal from the political. Ann Cudd (2002) argues that individualizing inequality obscures the nature of oppression, which affects individuals as members of groups that experience invidious discrimination. The context of group-based oppression and privilege is essential to understanding how demands that we ignore existing inequalities feed the backlash. Cudd (2002) writes "that progress harms some identifiable group that previously enjoyed an unjustified advantage, sows the seeds of backlash" (p. 8).

Violence in response to the threat of feminism, like other forms of male violence against women, is often portrayed as marginal, aberrant, and extremist. Critical criminologists have worked to shift thinking about crime to challenge the idea that violence and crime are necessarily signs of deviance and alienation from hegemonic culture. As critical criminologists have observed, much violence is both produced by and productive of masculinity (see Messerschmidt & Tomsen, Chapter 13 above). Indeed, norms against hitting girls rest close alongside imperatives for men's capacity to use violence where appropriate. In addition, popular culture provides a laundry list of circumstances under which men's violence against women is justified (Greenblat, 1985).

Scholars such as Alberto Godenzi (1999) have argued that backlash is not as marginal as it may seem: "Given that most people live in genderized societies, every man reacts to

challenges of the existing order of the sexes” (p. 385). Feminism sought to challenge patriarchy through the production of alternative narratives to counter the gendered status quo. Likewise, efforts to end violence against women resist patriarchy by authorizing woman-centered or feminist stories about men’s violence against women. These narratives pose an implicit threat to patriarchy by revealing its negative influence on society. Although norms for female subordination and formal equality appear contradictory, they are utilized together in efforts to circumvent serious challenges to patriarchy. Antifeminists work to reinforce patriarchal norms even as they deny their existence (Dragiewicz, 2008; Girard, 2009; Mann, 2008).

What does backlash have to do with critical criminology?

Feminist criminology grew out of the broader women’s movement and the voids in early criminology. Smart (1976) wrote about the “overwhelming lack of interest in female criminality displayed by established criminologists and deviancy theorists” she encountered while pursuing a Master’s degree in criminology (p. xiii). At the same time, Smart noted that the few publications available on the topic presented an “entirely uncritical attitude towards sexual stereotypes of women and girls,” and presumed women’s biologically derived inferiority in crime and delinquency as elsewhere in life (p. xiii). With few exceptions, when women were acknowledged at all, “gendered cultural stereotypes” and “anti-feminist ideology” prevailed in early explanations of crime (p. xiii).

Accordingly, Smart set out to conduct a feminist critique of extant theories of crime. From the beginning, she worried that the study of women and crime would be marginalized, and receive token inclusion in criminology akin to that afforded “mentally abnormal offenders or twin studies.” She also forecast the emergence of the moral panic about delinquent girls and violent women, noting that female criminality was likely to become the object of increasingly punitive attention by the media and criminal justice systems (Smart, 1976, p. xiv). Smart argued that, despite these risks, it was necessary to “critically challenge the emerging moral panic over the relationship of women’s emancipation to increasing participation by women in criminal activity” (p. xv).

Smart’s prescient remarks challenge the notion that resistance to feminism has emerged recently, as a result of feminism having “gone too far,” and spawned a post-feminist dystopia in which women wantonly attack and oppress men. Rather, Smart’s observations affirm Sylvia Walby’s (1993) articulation of antifeminist backlash as ongoing, historically contingent, and culturally contextualized efforts to reassert the patriarchal domination of women.

Feminist criminology has undergone remarkable growth and development since the 1970s (see Renzetti, Chapter 9 above). In 1982, the Division on Women and Crime (DWC) was established as the first division ever created in the American Society of Criminology (ASC) (Division on Women and Crime, 2006). Today, DWC is ASC’s second largest division, comprising 10 percent of the total membership (Susan Case, personal communication, American Society of Criminology, March 10, 2011). *Feminist Criminology*, the official journal of the DWC, was launched in 2006. Susan Sharp (2006), the journal’s inaugural editor, noted that feminist criminology was still marginalized, despite the growth of influential speciality journals such as *Violence against Women* and *Women and Criminal Justice*. Further, Sharp and Hefley (2007) noted that, even today, when women are acknowledged in the most prestigious “mainstream” (i.e. not focused on women) criminology journals, gender is most often operationalized as a control variable. This means that, although criminological studies are more likely to distinguish between women and men than in the past, little effort

has been made to explain the sex differences that have long been recognized as characteristic of crime and violence. In other words, although feminist criminology has experienced rapid growth in recent years, it has also been met with significant resistance, and has not yet been fully integrated into criminology.

Tactics of antifeminist backlash

A growing international, interdisciplinary research literature has analyzed antifeminist backlash (Chunn, Boyd, & Lessard, 2007; Cudd, 2002; Faludi, 1991; Newson, 1991; Oakley & Mitchell, 1997; Roman & Eyre, 1997; Rossi, 2004; Walby, 1993). Because violence against women and family law are core backlash issues, criminology has been a key location of antifeminist activism and one of the primary sites of research on it (Boyd, 2004; Caringella, 2009; Chesney-Lind, 2006; Chesney-Lind & Irwin, 2007; Chesney-Lind & Jones, 2010; DeKeseredy, 1999, 2011; DeKeseredy & Dragiewicz, 2007; DeKeseredy & Schwartz, 2005; Dragiewicz, 2000, 2008, 2010, 2011; Girard, 2009; Koss & Cleveland, 1997; Mann, 2008; Menzies, 2007; Minaker & Snider, 2006; Rosen, Dragiewicz, & Gibbs, 2009). Central tactics of the generalized antifeminist backlash include efforts to reverse the changes wrought by feminism; blaming feminism for a spate of social problems; claims that feminism has “gone too far”; and attacks on women’s authority. In criminology, these goals are accomplished through the misrepresentation of research; the decontextualization of violence; and attacks on services and laws that are useful to abused women (DeKeseredy, 1999; DeKeseredy & Dragiewicz, 2007; Dragiewicz, 2011).

As Smart (1976, 1979) has noted, sensational accounts of women’s and girls’ crimes are not new. Scholars such as Freda Adler (1975) and Rita Simon (1975, 1976) proposed that emancipation led to an increase in women’s crime. For example, Simon (1976) wrote that:

the increase in the proportion of women who hold full-time jobs, the consciousness that the movement’s rhetoric has succeeded in raising, along with the changes that have occurred in women’s legal rights in such areas as personal property, abortion, and divorce laws, have all contributed to altering women’s overall status as women as well as increasing opportunities and propensities that women have for committing crimes. (pp. 34–35)

Nonetheless, Simon disputed dire predictions that liberation would generate a surge in women’s violence. Although she proposed an increase in women’s property crime, she also speculated that women’s liberation would lead to a decrease in women’s violence against domineering and abusive husbands and boyfriends. In addition, Simon challenged journalistic claims that “militant feminism” had transformed women from “cooks, flunkies, and sex objects” into the “guerrilla women” and “dominant figures” in groups such as the Weather Underground (Green, 1974, as cited in Simon, 1976, pp. 33–34). Adler (1975), however, predicted that women’s crime would increasingly come to resemble men’s in areas as diverse as white collar crime, murder, and robbery. We can see echoes of these early concerns in contemporary discourses on girls, women, and violence.

Bad girls?

Today, feminist criminology continues to counter moral panics about the dire threats to civilization posed by feminism, as illustrated by the spectacle of female violence. Scholarship on

the panics about girls and violence is one of the key areas for this work. Meda Chesney-Lind and colleagues continue to challenge popular claims about “mean girls” and putative increases in girls’ criminal behaviour (Chesney-Lind & Irwin, 2007; Chesney-Lind & Jones, 2010). The work on girls has emphasized the racialized character of media representations of girls’ violence, focused on images of “hyperviolent girls of color” (Chesney-Lind & Jones, 2010).

The scholarship on girls and violence has challenged several aspects of the moral panic about alleged increases in girls’ criminality. Chesney-Lind and Irwin (2007) contest claims that girls’ criminality and violence is approaching parity with boys’. Likewise, they dispute the notion that crime statistics reflect an actual increase in girls’ delinquency and violence, observing that girls are often subject to “up-criming.” Although more girls are subject to criminal justice system intervention than in the past, this is in part because girls receive harsh punishments for minor crimes, including status offenses, that are not enforced as strictly for boys. Chesney-Lind and Irwin (2007) also note that self-report studies do not bear out media claims about increases in girls’ delinquency or violence.

In addition to the gendered ways in which the law is applied, the growth of “zero tolerance” policies in schools has led to the imposition of harsh penalties for minor infractions for both girls and boys. These policies disproportionately affect students of color, and African American students in particular (Chesney-Lind & Irwin, 2007). Chesney-Lind and Irwin argue that studies on the impact of these policies need to include both race and gender, reflecting the intersectional nature of punitive policies and their outcomes (Chesney-Lind & Jones, 2010).

In the case of girls, so called “relational aggression” has received a disproportionate amount of attention in constructions of girls’ and boys’ crime and delinquency. Essentially, girls’ verbal aggression has been presented as a more significant problem than boys’ physical aggression, including sexual aggression against girls. In media discourse, the “relational” aspect of aggression disappears, resulting in misleading depictions of girls and boys as equally “aggressive” and “violent.” Because aggression and even physical violence are accepted for boys in some circumstances, but not for girls, these representations further highlight girls’ gendered transgressions (Chesney-Lind & Irwin, 2007). In addition to inaccurate representations of girls’ and boys’ violence as equivalent, the decontextualization of girls’ aggression has meant that girls are increasingly portrayed as violent offenders when they defend themselves against violence and abuse.

Chesney-Lind and Jones (2010) utilize two important strands of feminist criminology in their recent collection *Fighting for Girls*. First, they apply the concept of intersectionality, illustrating the ways in which “race, gender, and class intersect in the lives of all women, but particularly in the lives of criminalized girls and women” (p. 2). Second, the chapters in the collection foreground girls’ voices as a valuable source of information about their experiences and behavior. Both of these approaches stress the importance of the cultural and social contexts from which violence emerges. The dual emphasis on the centrality of social stratification and female voices in the research on girls and crime counters key themes in antifeminist backlash. Antifeminists consistently seek to deauthorize feminist and female-centered accounts of crime and demand decontextualized, individualized approaches to it. Violence against women is another key location of this struggle.

Violent women?

Like girls’ aggression, women’s violence has also become a subject of heightened media attention in the context of backlash. Men’s violence against women is perhaps the fastest-growing

subject for research on women and crime. Early feminist scholarship on men's violence against women was closely tied to the growth of the feminist movement. Early research on rape (Brownmiller, 1975; Russell, 1982) and wife beating (Dobash & Dobash, 1979; Martin, 1976) sought to document women's experiences of men's violence and challenge its widespread acceptance. These early works foregrounded women's voices, revealed the brutality of men's everyday violence against women, and problematized the state's non-intervention. Although antifeminists spotlight the "dark side" of women's emancipation, feminists document the negative outcomes of patriarchy.

Feminists identified men's violence against women as both a linchpin and vivid illustration of women's generalized subordination to men (Brownmiller, 1975; Dobash & Dobash, 1979; Rose, 1977; Schechter, 1982). Feminist scholars worked to empirically document the prevalence and seriousness of rape and wife beating in order to establish the issues as social problems demanding a response in the public sphere. Accordingly, feminist efforts to end violence against women called for cultural changes including the dismantling of public and private forms of patriarchy, and the establishment of women's autonomy and independence in the public and private spheres (Caringella, 2009; Rose, 1977; Schechter, 1982). Contemporary feminist research on violence against women continues to stress the importance of the socio-cultural contexts in which it occurs (DeKeseredy, 2011; DeKeseredy & Schwartz, 1998; Johnson & Dawson, 2010; Schwartz & DeKeseredy, 1997).

In other words, violence against women is one area where feminism has achieved visible success at institutionalizing state accountability for a problem that is disproportionately borne by women (Dragiewicz, 2008). Even as fiscal retrenchment and neoliberal language take hold, strong support for antiviolence programs persists. Services specifically created to meet women's particular needs, such as domestic violence shelters, and those that have been embraced by abused women in the wake of legal reforms, such as civil orders for protection, are widely accepted and heavily utilized (Dragiewicz, 2011).

Antifeminists have vociferously objected to the recognition that normatively gendered structures and institutions are central contributing factors to violence and abuse against women (DeKeseredy, 1999; DeKeseredy & Schwartz, 1998; Dragiewicz, 2008; Girard, 2009; Mann, 2008; Minaker & Snider, 2006; Schwartz & DeKeseredy, 1997). Promotion of gender-blind formulations of "intimate partner violence" and "domestic violence" has been a central tactic of antifeminist backlash (DeKeseredy, 2011; DeKeseredy & Dragiewicz, 2007; Dragiewicz, 2011). Antifeminists have rejected approaches to studying woman abuse that are built around the knowledge and experiences of women as "advocacy research," and "pseudo-science" (DeKeseredy, 1999; Koss & Cleveland, 1997; Schwartz & DeKeseredy, 1994).

In the United States and Canada, many of the most vocal critics of feminist research on violence against women are not scholars in the field (Dragiewicz, 2000; Koss & Cleveland, 1997; Schwartz & DeKeseredy, 1994). However, some criminologists are closely allied with antifeminist activists, participating in their conferences and listservs, soliciting study participants on their websites, and even establishing a journal to facilitate peer-reviewed publication on gender-blind and individualizing approaches to "partner abuse" (DeKeseredy & Dragiewicz, 2007; Dragiewicz, 2011).

The use of decontextualized counts of "conflict tactics" produced by criminologists is a central tactic of antifeminist groups. Antifeminists use decontextualized, quantitative data on a limited number of forms of aggression to argue that women's violence is equivalent to men's and therefore cannot be a "gender issue" (DeKeseredy, 1999, 2011; DeKeseredy & Dragiewicz, 2007; Dragiewicz, 2011; Dragiewicz & Lindgren, 2009). This tactic is

extremely misleading, not least because it omits the research on important facets of violence including homicide, sexual assault, and separation assault. Furthermore, claims that violence is a “human issue” rather than a “gender issue” confuse gender with sex, resulting in unsupported claims-making about gender based solely on a sex variable (Dragiewicz, 2009; Dragiewicz & Lindgren, 2009). Efforts to direct attention away from men’s violence against women serve to erase the highly patterned forms of violence that women experience. They also incorrectly portray men as genderless, despite the well-documented effects of patriarchal masculinities on men’s experiences of violence.

Antifeminists use the inaccurate claim of “gender symmetry” in violence against intimate partners to justify attacks on feminism, arguing that feminists have “hyped” violence against women into a significant problem for political gain (Dragiewicz, 2000, 2011; Dragiewicz & DeKeseredy, Chapter 34 below). Antifeminists affix the label “feminist” to research documenting the importance of patriarchy and gender to violence, regardless of the orientation of the researcher. They then pose “feminist” and “scholar” as mutually exclusive categories. The resulting dismissal of women’s authority is visible in both explicit attacks on feminist research and the under-representation of feminist scholarship in “mainstream” journals.

Conclusion

As Kathleen Daly and Lisa Maher argued in 1998, considering the future of feminist criminology raises many questions:

Do we begin with theories of crime (or law) or gender? Do we devote our creative energies to critiques of androcentric or poorly conceived theories or to developing feminist theoretical approaches? Do we focus attention on gender, crime, and justice as socially constructed or do we conduct closely textured studies of the particularities of women’s (and men’s) lives? (Daly & Maher, 1998, p. 1)

When addressing antifeminist backlash in 2011, the answer is “yes.” Despite the growth of research on crime and gender, feminist criminology continues to be marginalized. However, issues of violence and gender are central to antifeminist backlash and to feminist activism and research. Accordingly, critical criminologists stand to make important contributions to the scholarly goals of understanding crime and violence and the activist goals of creating the cultural conditions that can ameliorate them.

The contours of antifeminist backlash suggest several fruitful directions. First, as many scholars have noted, feminist criminology needs to continue to elaborate on the intersectionality of crime with gender and other social categories, advocating contextualized research for the prevention of violence. Second, critical criminologists need to continue working to educate our colleagues who have yet to come to terms with the concept of gender and continue to misuse it. Third, criminologists should continue to develop interdisciplinary research in the areas in which women have identified the most pressing manifestations of backlash, including representations of violence and gender in the media; family, civil, and criminal law; and theorizing the relationship between patriarchy and violence.

Critical criminologists cannot ignore antifeminist backlash even as we cannot allow it to consume all of our attention and energies. Although some scholars have devoted all of their attention to arguing about the sameness or difference of women’s and men’s violence, critical criminologists have been developing and testing increasingly nuanced and contextualized understandings of the intersections between gender, power, and crime.

The critical recognition that scholarship and knowledge production are political acts is central to the task at hand. By definition, antifeminist backlash is an indication that feminism is a powerful social movement capable of producing significant change. Antifeminist backlash illuminates key areas of the political struggle over gender and power that are both central to criminology and of importance far beyond it. Feminist criminologies are a key location of the ongoing work for justice.

Note

This chapter includes modified sections of work published previously by Dragiewicz (2008) and Dragiewicz and Lindgren (2009).

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