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Feminist perspectives

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Introduction: what is feminist criminology?

Several years ago, when I was interviewing social activists who were working to address the problem of sex trafficking worldwide, I posed the question, "Do you consider yourself a feminist?" The common reply from interviewees went something like this: "No, I wouldn't say I'm a feminist; I think all people should be treated equally and respectfully." Before answering the question, "What is feminist *criminology*?," then, it would be useful to first answer the question, "What is *feminism*?," for there appears to be some confusion as to the meaning of this term. And it is undeniably a label that nowadays is loaded with social and political baggage.

The emergence of contemporary feminism is typically dated to be during the 1960s. At that time in the United States, Canada, Britain, and Europe, various social movements developed in response to widespread social injustice, including racial and ethnic inequality, colonialism, and the Vietnam War. Women were active participants in these movements, but quickly (and correctly) perceived that they frequently were not treated as equals by male participants. At the same time, women in what may be considered more mainstream social venues – for example, government, business, and education – grew increasingly dissatisfied with how little genuine equality they enjoyed despite their formal legal rights. Not surprisingly, university campuses were often at the center of this social and political activism, and many academics – mostly, but not solely, women – began to take a careful look at their respective disciplines to learn how these might be actively or implicitly reproducing social inequalities, including gender inequality. Criminology was no exception.

From this introspection, a number of different perspectives emerged, all of which may be labeled feminist. There are several core principles, though, that feminist theories share. First, at the heart of feminism is the recognition that *gender* is a central organizing principle of social life. Gender may be defined as the *socially constructed* expectations or norms governing female and male behavior and attitudes that are usually organized dichotomously as *femininity* and *masculinity* and that are reproduced and transmitted through socialization. Of course, biology influences the development of gender, too, but while feminist perspectives recognize the complex interaction between biology and environment, feminism emphasizes the socially constructed, rather than innately determined, aspects of gender.

If gender is constructed dichotomously, then membership in gender categories is exclusive. In other words, a person is *either* feminine *or* masculine. Setting aside for the moment the problematic aspects of conceptualizing gender this way, an issue to which we will return later in the chapter, consider first the fact that the genders are not equally valued in the vast majority of societies. A second core principle of feminism, therefore, is that most societies, both on a macro (structural/institutional) level and a micro (interpersonal) level are characterized by *sexism*, that is, the differential valuing of one gender over the other. In most societies, this sexism is a built-in feature of a *patriarchal* social system in which men dominate women and what is considered masculine is more highly valued than what is considered feminine.

The academic disciplines exist within the patriarchal social system, so it is hardly surprising that women have been systematically excluded from many fields, including criminology, that are not considered "feminine" or appropriate for women. Moreover, women and girls have been systematically excluded from the studies conducted by members of male-dominated fields under the assumption that what women do, think, or say is unimportant or uninteresting (Lorber, 2009). As with other disciplines, beginning in the 1970s feminist criminologists highlighted the gender biases in widely used criminological theories and how women and girls have historically been overlooked in studies of crime and criminal justice (Chesney-Lind, 2006; Jurik, 1999). Consequently, another core principle of feminism is the inclusion of female experiences and perspectives in theorizing and research. This is not to say that male experiences and perspectives should be excluded – after all, men are gendered, too – but rather, feminists emphasize the critical importance of ensuring that female voices are heard, given that they have typically been silenced or simply ignored. A major goal of feminist research and theorizing is to uncover and explain similarities and differences in women's and men's behaviors, attitudes and experiences, which arise from their different locations in – and differentially imposed valuing by – the social structure. Although their different social locations constrain their responses or resistance to their relative circumstances, the ways women and men choose to respond or resist – the ways they exercise *agency* – are, like all other aspects of social life, gendered.

The focus on gender, and not solely on women, is a critically important point because many people, as indicated by my interviewees' responses, think of feminism as "only" about women or "women's issues." It is certainly the case that feminist theorists and researchers have prioritized the study of women's attitudes, behaviors and experiences because these have largely been neglected and excluded. Nevertheless, feminist perspectives include research and theorizing about both masculinities and femininities. Indeed, in studying women's *and* men's lives over the past four decades, feminist researchers have shown that not all groups of men benefit equally or in the same ways from gender privilege. As feminism has developed and matured, therefore, another significant principle to which many feminist theorists adhere is the necessity of analyzing how 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, including their risk of criminal victimization and offending and their treatment as "clients" or employees of the criminal justice system (Burgess-Proctor, 2006; Risman, 2004).

Unlike other perspectives, feminism is not solely a set of theories; it is also a *social movement* informed by a theoretical framework with the goal of collective action to eliminate sexism and promote gender equity in all areas of social life. In conducting research and explaining their findings, feminist social scientists, including feminist criminologists, are engaged in what sociologist Joann Miller (2011) called *purpose-driven research*: research that raises public awareness, in this case, of gendered inequalities, and that produces usable knowledge that contributes to the social reconstruction of gender and gender relations so they are more equitable. Feminist researchers

strive to acquire scientific knowledge through the research process that empowers individuals and groups to act to change behaviors and conditions that are harmful or oppressive.

This goal has important implications for how feminist research is conducted. Examples of feminist research will be discussed throughout this chapter, but suffice it to say here that, in general, feminist researchers reject the traditional model of science "as establishing mastery over subjects, as demanding the absence of feeling, and as enforcing separateness of the knower from the known, all under the guise of 'objectivity'" (Hess & Ferree, 1987, p. 13; see also Naples, 2003; Reinharz, 1992). Instead, feminist research is often characterized by *reciprocity* between the researcher and the research participants; rather than establishing relational distance from the research participants, the researcher engages in self-disclosure and may offer resources and helpful information, recognizing that research participants are frequently revealing private, sometimes traumatic aspects of their lives to a stranger and that they may, in fact, need assistance that the researcher can provide. Feminist researchers also try to take an *empathic stance* toward the participants in their studies; instead of imposing their own ideas or categories of response on their participants, they give participants a more active role in guiding the direction of the research and attempt to understand the phenomena they are studying from the participants' viewpoints.

This approach to research reflects another core principle of feminist perspectives: The research process is *dualistic*; that is, it has both subjective and objective dimensions. Feminists emphasize that no research is completely unbiased or value-free. No matter how objective researchers like to believe they are, they cannot help but be influenced by values, personal preferences, and aspects of the cultural setting and institutional structures in which they live. That said, research is not totally subjective either. While a researcher may be influenced by values (i.e., judgments or appraisals), her or his goal is the collection of facts (i.e., phenomena that can be observed or empirically verified). Feminists challenge researchers to explicitly acknowledge the assumptions, beliefs, sympathies, and potential biases that may influence their work. They question not only the possibility, but also the desirability, of value-free science; however, while they reject this notion, they do not reject scientific standards in their research (Reinharz, 1992). And although the ideals of reciprocity and an empathic stance imply an emphasis on qualitative methods, such as ethnography and in-depth interviewing, many feminist researchers, including feminist criminologists as we will see shortly, conduct quantitative studies using sophisticated statistical techniques to analyze their data, or mixed approaches that incorporate both quantitative and qualitative methods (see, for example, Campbell, 2011a, b).

So to return to the question that opened this chapter, what is feminist criminology? The short answer is that feminist criminology is a paradigm that studies and explains criminal offending and victimization as well as institutionalized responses to these problems as fundamentally gendered and that emphasizes the importance of using the scientific knowledge we acquire from our study of these issues to influence the creation and implementation of public policy that will alleviate oppression and contribute to more equitable social relations and social structures. Like many short answers, however, this one is inadequate and unsatisfying. As was noted at the outset, there is no single, unitary feminist perspective, but rather a diversity of feminist perspectives, each with variations on the core principles presented. Let's turn, then, to a discussion of some of the major feminist perspectives in criminology.

Feminist criminologies

A number of typologies have been offered in an attempt to classify the many feminist perspectives currently being applied to the study of social life (see, for example, Lorber, 2009). Within criminology, it is argued that there are at least 12 distinct feminist theories (Maidment, 2006).

Space constraints preclude a review of every theoretical perspective that may be considered feminist, so a select few – what I consider to be the major feminist criminological theories – will be discussed in this chapter. That said, it must be acknowledged that not all feminist criminologists agree on which theories to label "major"; some readers, therefore, will likely disagree with my selection, perhaps considering it too "conventional," and would choose other theories to highlight instead. Keep in mind, too, that the presentation of these theories is not chronological. Although some theories preceded others temporally and new perspectives built on these initial or early approaches, several theories were being developed and tested simultaneously, as is typically the case in criminology and other disciplines.

Liberal feminist criminology

In general, liberal feminism may be described as an "equal rights" approach in that the focus is largely on securing the same legal rights for women that men enjoy. Liberal feminists consider the major cause of gender inequality to be blocked opportunities, so the primary goal of their social activism has been dismantling gender discrimination in employment, education, government, and other social institutions. In addition, since females and males are taught specific – and unequal – gender roles, liberal feminists have sought to change traditional gender socialization practices so that males and females learn to be more alike in terms of their attitudes and behaviors.

Liberal feminism influenced several feminist criminological theories, particularly early in the development of feminist criminology. For example, emancipation theories of female offending (Adler, 1975; Simon, 1975) are rooted in liberal feminism. Emancipation theorists sought to explain what they perceived to be dramatic increases in female offending during the late 60s and early 70s. They attributed these changes to newly opened opportunities for women and girls, thanks to the women's liberation movement. In short, these theories argue that just as legitimate opportunities opened for women and girls, so too did illegitimate or criminal opportunities. And because females were being encouraged to behave more like males, it should be no surprise that this would lead them to do so in less than positive ways as well, such as being more violent and committing more property crimes.

The value of any theory, of course, depends on how well it stands up to empirical testing. Emancipation theories were shown to be seriously flawed through research that demonstrated that, in fact, the gender gap in the crime rate was not closing as much as emancipation theorists believed, and that females were not becoming more like males in terms of the types of crimes they were committing. To be sure, women and girls were being arrested and imprisoned more frequently than in the past – and this trend has continued – but to a large extent this change reflected their greater likelihood of committing the property crimes for which they were traditionally charged (e.g., larceny, fraud) and for drug offenses. Some feminist critics of the emancipation perspective have also argued that females' elevated arrest and incarceration rates are the result of policy and practice changes in the criminal justice system. More specifically, that the "war on crime" essentially became in practice a war on women and racial minorities, especially Black people, and that increases in arrest and incarceration rates of women represent "equality with a vengeance" (Chesney-Lind, 2006). The question of whether females, or some groups of females, are treated more or less leniently by the criminal justice system continues to be debated and researched by feminist criminologists (see, for example, Spohn & Brennan, 2013), but empirical evidence clearly does not support the notion that a "downside" of the women's liberation movement is that it motivated women and girls to commit more crimes or to act "more like men."

Another liberal feminist theory is power-control theory (Hagan, 1989; McCarthy, Hagan, & Woodward, 1999). Power-control theory looks at how social class, as a mediating factor in gender

socialization, may result in different rates of female and male offending, especially juvenile delinquency. In families characterized by patriarchal control – that is, families with a traditional gendered division of labor in which the husband/father is in the paid labor force and the wife/mother remains at home to care for the household and socialize the children – girls are socialized to be like their mothers (domestic, subdued and, therefore, unlikely to take risks), whereas boys have considerably more freedom and more opportunities for risk-taking, including crime. Power-control theory posits that this arrangement is more common among working class families. In families that are more egalitarian or "balanced" in terms of the gendered division of labor, where both husbands/fathers and wives/mothers are in the paid labor force, girls and boys are treated more alike. Mothers in these families are still seen as primarily responsible for the gender socialization of their children and, the theory maintains, they less tightly control their daughters' opportunities and behavior and increase their control over their sons, such that the girls' and boys' behavior is likely to be more similar, including in terms of risk-taking and delinquency. Power-control theory sees this arrangement as more common among middle-class families.

Empirical support for power-control theory has been mixed at best (see, for example, Heimer & DeCoster, 1999; Morash & Chesney-Lind, 1991). The theory has also been critiqued for its simplistic conceptualization of social class and the gendered division of labor in the home and workplace, and for its lack of attention to racial/ethnic differences in gender socialization and to single-parent families, most of which are headed by women. Another significant weakness in power-control theory is its limited definition of patriarchal control, which is reduced to parental supervision (Chesney-Lind, 1997; Chesney-Lind & Sheldon, 1992). Patriarchal control, however, is far more complex and may take a variety of forms, ranging on a continuum from severe, brutal violence at one extreme, to what has been called "chivalry" or "benevolent sexism" at the other extreme. Let's consider, then, additional feminist criminological perspectives that recognize the importance and complexity of patriarchy and patriarchal control.

Radical feminist, Marxist feminist, and socialist feminist criminology

One theoretical approach that broadens the scope of patriarchal control is radical feminist criminology. Radical feminism maintains that gender inequality or sexism is the most fundamental form of oppression and that it is females who are oppressed. Indeed, radical feminists argue that throughout the world, females are the most oppressed group and that, regardless of race, ethnicity, or social class, men enjoy gender privilege, which includes the subordination and control of women. Patriarchal social structures, including the criminal justice system, serve to preserve male power and ensure female subordination, and one of the primary ways this is accomplished is through the threat or actual use of violence. Radical feminist criminologists, then, have pioneered the study of women as crime victims, particularly as victims of violent crimes perpetrated by men, and the failure of the criminal justice system to protect women from men's violence.

Victimization by violent crime is gendered. Although males are more likely than females to be the victim of a violent crime, research by radical feminist criminologists and others consistently documents the alarming frequency of violence against women throughout the world and the multitude of forms it takes, including sexual harassment, sexual assault and rape, battering, and homicide (see Renzetti, Edleson, & Bergen, 2018). This research also shows that, ironically, while we advise girls not to talk to strangers, they are significantly more likely to be harmed by someone they know; in 64 percent of violent crimes committed against women, the victim knew her assailant, whereas in only 46 percent of violent crimes committed against men did the victim know his assailant (National Institute of Justice, 2016; see also Kruttschnitt, 2001). According to radical feminist criminologists, however, despite these data the police, courts, and criminologists

themselves have been preoccupied with male street crime, and the criminal justice system has been overwhelmingly ineffective in keeping women and girls safe, and holding men and boys accountable for the violence they perpetrate against them.

Work by radical feminist criminologists laid the foundation for the burgeoning research on violence against women that continues at present. Nevertheless, critics of radical feminist criminology maintain that this perspective still portrays the criminal justice system too negatively. Significant legislative and enforcement reforms have occurred over the past several decades (e.g., changes in rape laws designed to shift the focus of blame from the behavior of the victim to the behavior of the assailant, harsher penalties for batterers). Although some feminist researchers have identified gaps between these laws on paper and how they are actually implemented (e.g., Caringella, 2008), it cannot be denied that many of these legal reforms have been beneficial to women.

Another criticism of radical feminist criminology is that it characterizes all men as oppressors, equally likely to harass, rape or abuse women, even though it is the case that the majority of men do not violently victimize women and some profeminist men actively work to prevent and respond to such victimization. Moreover, this perspective overlooks women's violent offending, a point to which we will return shortly. And finally, by foregrounding gender as the paramount oppression, radical feminist criminologists inaccurately universalize the categories of "female" and "male," while overlooking the reality that gender inequality intersects with other types of inequality, particularly racism, heterosexism, and social class inequality (Burgess-Proctor, 2006). This last point is especially important when evaluating changes in the criminal justice response to violence against women, since some researchers have argued that the criminal justice system responds more harshly to people of color; the poor; immigrants; and lesbians, gay men, and transgender people (Goodmark, 2018; Richie, 2012).

Marxist feminist criminologists differ from radical feminist criminologists in that they prioritize social class inequality over gender inequality. Marxist feminist criminologists maintain that societies with less social class inequality also have less gender inequality, because male dominance, like other types of discrimination, grows largely out of unequal economic conditions, specifically, the exploitative class relations inherent in capitalism. Thus, from this perspective, if capitalism is replaced with a more egalitarian mode of production, this egalitarianism will be reflected in other spheres of social life, including gender relations.

But some feminist criminologists see Marxist feminism as making an error similar to radical feminism: one form of inequality does not take precedence over another form of inequality. Oppression is not linear. Instead, in their everyday lives people *simultaneously* experience the effects of *multiple inequalities*, just as they also experience different forms and degrees of *privilege*. Socialist feminist criminology is one theoretical perspective that recognizes the importance of examining how the interaction of gender and social class inequalities influence criminal opportunities, victimization experiences, and responses by the criminal justice system to both offenders and victims. Messerschmidt (1993), for example, argues that the crimes individuals commit reflect both their social class position and their socialized conceptions of masculinity and femininity.

Socialist feminist criminologists were also the first to draw attention to the fact that the traditional criminological construction of offenders and victims as two distinct or dichotomous groups is largely inaccurate when gender is also taken into account (Jurik, 1999). Research shows violent victimization, especially during childhood, is often a pathway to subsequent involvement in crime more so for girls than for boys. For instance, Widom and Maxfield (2001) found a significant increase in arrest for violent crime among girls who were neglected and abused compared with girls who had not been neglected and abused, but this relationship did not hold for boys (see also Siegel & Williams, 2003). This pattern is found in studies of adult offenders as well (English, Widom, & Brandford, 2001; Morash, 2006).

But while socialist feminist criminology attends to the dual importance and interactive effects of sexism and social class inequality, and highlights the salience of victimization in understanding pathways to criminal offending, particularly by women and girls, this perspective has been criticized nevertheless for depicting women and men as relatively homogeneous social categories, distinguishable only by social class differences. More recent feminist theories have drawn attention to the need to examine how race and ethnicity intersect with gender, social class, and other locations of inequality in order to understand both criminal offending and victimization, and the responses of the criminal justice system. It is to these theories that we turn to conclude this chapter.

Contemporary and future directions in feminist criminological perspectives

As noted in the chapter introduction, gender is typically conceptualized in dichotomous terms: a person is *either* feminine *or* masculine. Recently, however, some feminist criminologists have adopted the reconceptualization of gender as *situated action* or *situated accomplishment* (West & Fenstermaker, 1995; West & Zimmerman, 1987); that is, gender is something one *does* in response to contextualized norms. From this perspective, males and females "do gender" in various situations, and make choices – albeit choices constrained by structural conditions and normative expectations – about how they will establish their masculinity and femininity, respectively. Gender, then, is in flux; it changes over time and from situation to situation, in response to normative demands and an individual's resources and perceptions of others' evaluations of him or her. This perspective also takes into account intersecting locations of inequality, such that individuals also simultaneously do race/ethnicity, social class, sexuality, and age thereby producing multiple masculinities and femininities, "each shaped by structural positioning" (Miller, 2002, p. 435). Consequently, some feminist criminologists are theorizing that crime is a means for accomplishing gender in certain contexts, and these efforts to do gender also affect who is victimized. Consider, for instance, the studies of hate crime conducted by Bufkin (1999) and Perry (2001). In their analyses of the characteristics of hate crime perpetrators and their victims, as well as the characteristics of the crimes themselves (e.g., language used by perpetrators, the group nature of most hate crimes, use of alcohol by perpetrators), these feminist criminologists theorize that committing a hate crime is a means of accomplishing a particular type of masculinity, *hegemonic masculinity*, which is described as white, Christian, able-bodied, and heterosexual.

Other feminist criminologists call for even greater attention to the intersection of gender, social class, race/ethnicity, immigration status, sexuality, and other inequalities, emphasizing their interlocking nature in a "matrix of domination" (Collins, 2000). For example, Black feminist criminology builds on both critical race feminist theory and Black feminist theory more generally. This theoretical perspective is often referred to as a "standpoint theory," in that it focuses on the lived experiences of Black women, recognizing their multiple intersecting identities and analyzing their oppression both within the Black community and in the larger society, as well as their resistance to these forms of oppression. Potter (2006) identifies four themes in Black feminist criminology – social structural oppression, interactions in the Black community, intimate and familial relations, and the Black woman as individual – and applies them in an analysis of intimate partner violence in the lives of Black women to show how Black women's intertwined racialized and gendered identities produce experiences of intimate partner violence that are different from the experiences of other groups of women and, therefore, require different responses. Similarly, Buist and Lenning (2016) make a strong case for queer criminology, arguing that not only are LGBTQ people at greater risk of becoming crime victims, but also that they are historically

and continue to be *criminalized* because of their sexual orientation and gender identifies. Even more broadly, Burgess-Proctor (2006) challenges feminist criminologists to embrace multiracial feminism in their work, emphasizing the critical importance of considering the *interactive* rather than additive effects of race, gender, class, age, sexuality, and other social locators on offending, victimization, and criminal justice processes. She offers numerous examples of criminological studies that demonstrate how the intersection of these factors affect the "production of crime," the relationship between victimization and offending, and criminal justice outcomes such as sentencing disparities.

A brief chapter such as this one can hardly do justice to the diversity of feminist perspectives within criminology, and I have overlooked many, such as pragmatic feminism (McDermott, 2002) and postmodern and poststructural feminism (Howe, 2000; Wonders, 1999). Nevertheless, this overview offers perhaps a sampling of some of the most influential and most promising feminist theoretical perspectives in criminology today, broadly categorized. One serious issue with which feminist criminologists continue to grapple, however, is the extent to which feminist criminology has impacted the discipline as a whole, or what is often referred to as "mainstream criminology." In recent analyses of this question, feminist criminologists provide disappointing evidence of "missed opportunities," not only by "mainstream" criminologists such as Sutherland, Cohen and Sampson, but also in the work of criminologists who would appear, at first glance, to be feminist criminologists' natural allies – for example, critical criminologists, cultural criminologists, critical realist criminologists (Cook, 2016; Naegler & Salman, 2016; Renzetti, 2016). It appears that although researchers have documented a significant increase in feminist criminological research, the traditional stratification that has characterized the discipline for decades remains strong, and feminist criminology remains largely marginalized (see, for instance, Chesney-Lind & Chagnon, 2016). Feminist criminologists, though, are undaunted and, I would argue, our work is perhaps even more urgently needed now, during this period of virulent backlash against feminism and all forms of progressivism.

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