

CHAPTER

# 11

## Feminist Theories of Crime



## INTRODUCTION

Feminist criminology evolved when various assumptions and stereotypes about women in criminal justice were being questioned. Such questions included women as professionals as well as women as offenders and victims. This chapter begins with a brief history of feminism in the United States. To provide a better understanding of feminist theories of crime, it is essential to stress that there is no *one* feminist perspective. Rather, there are various feminist perspectives. Some of these feminist perspectives are discussed in the subsequent section. Next, this chapter discusses traditional theories of female crime, followed by feminist critiques of previous research focusing on women. We then present issues pertaining to understanding crime and criminal behavior that have been raised in feminist research. Finally, we discuss various policy and program recommendations based on theories and research grounded in a feminist perspective.

### A BRIEF HISTORY OF FEMINISM IN THE UNITED STATES

Feminism is a belief that women and men are inherently of equal worth. Because most societies privilege men as a group, social movements are necessary to achieve equality between women and men, with the understanding that gender always intersects with other social hierarchies.<sup>1</sup>

Most scholars contend that feminism has evolved in three major waves. The **first wave of feminism** started in the mid-1800s when women demanded the right to vote.<sup>3</sup> A major event associated with this first wave occurred in 1848. About 300 women and men met in Seneca Falls, New York. At the Seneca Falls Convention, these participants established a “Declaration of Sentiments” as well as 12 resolutions. This declaration was modeled after the Declaration of Independence. The Declaration of Sentiments stressed the need for reforms in marriage, divorce, property, and child custody laws. A major criticism of this convention was that the focus was primarily on white, upper-class women. Thus, working-class and black women were essentially invisible.

These “invisible” women, however, did contribute to the 19th century women’s rights movement. For instance, Sojourner Truth delivered her well-known speech at an 1851 women’s rights convention in Akron, Ohio.<sup>4</sup> She delivered an impromptu speech that included her well-known question, “Ain’t I a woman?” In this speech, she attempted to persuade the audience to support women’s rights. The feminist views were “taking a beating all evening.” Eventually, a man claimed that women needed to be protected with chivalrous acts. It was at this time that Sojourner Truth rose and replied with her speech.<sup>5</sup>

The peak of the first wave was between 1870 and 1928. This time period is characterized by intense activity toward winning women the right to vote as well as achieving educational and social reforms. While many women from various backgrounds were involved in these reforms, those women who were particularly involved in the antislavery and temperance movements worked together to secure women the right to vote.<sup>6</sup> In 1920, the Nineteenth Amendment to the Constitution was passed, giving the vote

## LEARNING OBJECTIVES

As students are reading this chapter, they should consider the following topics:

- Compare and contrast the first, second, and third waves of feminism.
- Identify the key features of the various feminist perspectives.
- Describe how traditional theories of crime perceived female offenders.
- Identify some of the problems associated with traditional research methods.
- Describe feminist pathways research.
- Discuss how multicultural feminism differs from previous feminist perspectives.
- Describe some key critiques of feminist criminological theories.
- Discuss what is meant by “the personal is the political.”
- Describe praxis.
- Identify some of the significant rape reforms.
- List and describe some of the fundamental factors of gender-specific programming.

## CASE STUDY

### ELIZABETH ESCALONA

On July 12, 2012, 23-year-old Elizabeth Escalona pled guilty to injury to a child in a Dallas, Texas, court. During her sentencing, Escalona admitted that she had abused her 2-year-old daughter, Jocelyn Cedillo. She further stated, "I hit her, I kicked her constantly and she didn't deserve that. . . . I want everybody to know that I'm not a monster. I love my kids." Apparently, Escalona was getting frustrated over potty training Jocelyn. On September 7, 2011, she superglued her daughter's hands to the wall and repeatedly beat her. Evidence photos revealed that Jocelyn suffered from numerous bruises, cuts, and bite marks prior to being taken to Children's Medical Center Dallas; she remained in a coma for 2 days. The prosecutor sought a 45-year sentence; the judge sentenced Escalona to 99 years. She will be eligible for parole in 30 years.

Escalona is the mother of five children. Four of her children were placed in foster care and then with their maternal grandmother. The fifth child was born

to Escalona while in jail and was subsequently placed with the grandmother as well. Escalona testified that she had been molested and abused by her boyfriends. She was a recovering marijuana and cocaine addict; she was raising her children on child support payments in a bug-infested one-bedroom apartment.

The prosecutor noted that Escalona was once considered a dangerous juvenile delinquent, a gang member who started smoking marijuana at the age of 11. During the sentencing hearing, the prosecutor played recordings of a teenage Escalona threatening to kill her mother.<sup>2</sup>

After reading this case, one may ask, "How could a mother do that to her child?" Do we as a society perceive such offenses committed by a mother *differently* than similar offenses committed by a father? If so, we need to explore how gender influences our attitudes about criminal behavior as well as criminal offenders. At the end of this chapter, we will address this question.

**ESCALONA IS THE MOTHER OF FIVE CHILDREN. FOUR OF HER CHILDREN WERE PLACED IN FOSTER CARE AND THEN WITH THEIR MATERNAL GRANDMOTHER. THE FIFTH CHILD WAS BORN TO ESCALONA WHILE IN JAIL AND WAS SUBSEQUENTLY PLACED WITH THE GRANDMOTHER AS WELL.**

to women. With the passage of the Nineteenth Amendment, many of the suffragists believed that women had indeed become men's equals.<sup>7</sup>

The **second wave of feminism** developed in the 1960s when other marginalized groups were also challenging the status quo (e.g., civil rights movement, prisoners' rights movement).<sup>8</sup> Feminists of this wave argued that to be fully liberated, women needed to have equal access to economic opportunities and sexual freedoms as well as civil liberties. Some women advocated a reformist, liberal agenda, whereas others pushed for a more revolutionary, radical program of change and action.<sup>9</sup> The liberal political perspective was influenced by the Civil Rights Act of 1964, which banned racial discrimination as well as sex discrimination. The radical political perspective was influenced by both the civil rights and student movements of the 1960s.<sup>10</sup>

Many liberal feminists were joining emerging women's *rights* groups such as the National Organization for Women (NOW), the National Women's Political Caucus, and the Women's Equity Action League. Most radical feminists were involved with women's *liberation* groups, which were much smaller and more personally focused. Among these groups were the Women's International Terrorist Conspiracy from Hell (WITCH), the Redstockings, the Feminists, and the New York Radical Feminists.<sup>11</sup> It was in this social context, within these emerging political perspectives, that feminist criminology began to question assumptions and stereotypes concerning women in criminal justice. This included women as professionals as well as women as offenders and victims.

The **third wave of feminism** evolved around the late 1980s into the 1990s. This wave of feminism is an extension as well as a response to the shortcomings of the second wave.<sup>12</sup> Some have maintained that this third wave coincides with the birth of Generation X; in fact, the literature associated with the third wave often describes younger women's experiences of frustration with the second wave of feminism.<sup>13</sup> The one major theme of third wave feminism is willingness to accommodate difference, diversity, and change:

They seem to be feminist sponges, willing and able to absorb some aspects of all the modes of feminist thought that preceded the third wave's emergence on the scene. Third-wave feminists are particularly eager to understand how gender oppression and other kinds of human oppression co-create and co-maintain each other . . . [D]ifference is the way things are. Moreover, contradiction, including self-contradiction, is expected and even willingly welcomed.<sup>14</sup>

More than any other group of feminists, the third-wave feminist perspective has provided a voice for many women who otherwise did not identify with previous feminist perspectives, especially women of color.

## KEY TERMS OF FEMINIST PERSPECTIVES

Before discussing the various feminist perspectives, it is essential for readers to appreciate key terms associated with these perspectives. A few of these key terms are *sex*, *gender*, *chivalry*, *paternalism*, and *patriarchy*.



This 1970 postage stamp commemorated the 50th anniversary of women securing the right to vote.



AUDIO

Feminism



REFERENCE  
ARTICLE

Feminism

### first wave of feminism:

started in the mid-1800s when women demanded the right to vote

### second wave of feminism:

developed in the 1960s when other marginalized groups were also challenging the status quo (e.g., civil rights movement, prisoners' rights movement). Feminists of this wave argued that to be fully liberated, women needed to have equal access to economic opportunities and sexual freedoms as well as civil liberties

VIDEO



Women's Rights

VIDEO



Feminism

**third wave of feminism:**

evolved around the late 1980s and into the 1990s; an extension of as well as a response to the shortcomings of the second wave

**sex:** sex differences typically refer to biological variations such as reproductive organs and hormones

**gender:** gender usually refers to social definitions of what it means to be a *woman* or a *man*

**chivalry:** pertains to behaviors and attitudes toward certain individuals that treat them as though they are on a pedestal

**paternalism:** denotes that women need to be protected for their own good. In a broader social context, paternalism implies independence for men and dependence for women

**patriarchy:** a social, legal, and political climate based on male dominance and hierarchy. A key aspect to this ideology is that women's nature is biologically, not culturally, determined

Differences between women and men have usually been identified as either sex or gender differences. **Sex** differences typically refer to biological characteristics, such as reproductive organs and hormones. **Gender** differences usually refer to social definitions of what it means to be a “woman” or a “man.” These social definitions may include characteristics such as appearance and occupation. It is confusing when the terms *sex* and *gender* are used interchangeably; sometimes individuals will use these terms imprecisely and assume that everyone understands the difference between sex and gender.<sup>15</sup>

West and Zimmerman illustrate the complexity of the concepts of sex and gender by distinguishing between *sex*, *sex category*, and *gender*.<sup>16</sup> As mentioned above, *sex* is determined through the use of socially agreed on biological criteria. An individual is located in a *sex category* by applying socially determined criteria of sex. By applying these criteria, society has defined sex as a binary category through sex categorization. *Gender* is not a set of characteristics or a variable or a role. Rather, gender is a product of social “doings.” *Gender* is activity considered appropriate for a person's sex category. These activities are determined through social constructions of sex and sex category. “Doing gender” is a continuous activity embedded in everyday interactions. By understanding the independence of these constructs, people can question whether differences between women and men are due to sex or to social constructions of gender.

**Chivalry** pertains to behaviors and attitudes toward certain individuals that treat them as though they are on a pedestal.<sup>17</sup> Chivalrous behavior is more complex than just preferential treatment. Engaging in a chivalrous relationship usually entails a bartering system in which men hold a more powerful status than do women. Social class and race/ethnicity are also intertwined with such treatment. Women of certain social classes and racial/ethnic backgrounds are considered more worthy of chivalrous treatment than other women. This is best illustrated by Sojourner Truth's speech “Ain't I a Woman?” The idea of **paternalism** denotes that women need to be protected for their own good. In a broader social context, paternalism implies independence for men and dependence for women. Both chivalry and paternalism suggest that certain individuals or groups need protection because they are weak and helpless. This protection can also lead to various types of control.

The Latin word *pater* refers to the social role of a father as opposed to the biological role of a father. Patriarchal societies exclude women from the exercise of political responsibilities; **patriarchy** refers to the subordinate role of women and male dominance.<sup>18</sup> Thus, patriarchy is a social, legal, and political climate based on male dominance and hierarchy. A key aspect to this ideology is that women's nature is biologically, not culturally, determined.<sup>19</sup>

## FEMINIST PERSPECTIVES ON GENDER

As noted previously, it is essential to provide readers with a general understanding that there is no *one* feminist perspective. Rather, there are various feminist perspectives. This section gives readers a summary of these different perspectives of gender. These summaries “are crude and oversimplified, but they offer a starting point for different ways of conceptualizing gender in social and political theory.”<sup>20</sup>

### TRADITIONAL OR CONSERVATIVE PERSPECTIVE

Kathleen Daly and Meda Chesney-Lind highlighted key features of the **traditional or conservative perspective**. First, they maintained that from this perspective, the causes of gender inequality are due to biological sex differences, including hormonal differences (e.g., greater testosterone production in males) or reproductive capacities (e.g., female child bearing and lactation). Second, they identified the process of how gender is formed. The conservative perspective stresses that social behavior is based on these biological sex

differences. These biological sex differences can be amplified to explain social behavior, such as greater strength and innate aggression among males as well as innate nurturing and caregiving among females. Unlike the other feminist perspectives, the conservative perspective does not offer any strategies for social change, since men's and women's behaviors reflect evolutionary adaptations of sex differences.<sup>21</sup>

## LIBERAL FEMINISM

**Liberal feminism**, also termed *mainstream feminism*, is founded on political liberalism, which holds a positive view of human nature as well as the ideals of liberty, equality, justice, dignity, and individual rights. A major feature of liberal feminism is that women should receive the same rights and treatment as men.<sup>22</sup> This perspective purports that gender inequality is due to women's blocked opportunities to participate in various aspects of the public sphere, such as education, employment, and political activity.<sup>23</sup> (See Table 11.1 for an example of a liberal feminist agenda.) Strategies for social change are devised to free women from oppressive gender roles—for instance, performing only those jobs associated with the traditional feminine personality (e.g., nursing, teaching, and child care).<sup>24</sup>

There are generally two types of liberal feminists: classical and welfare. Both approaches rely a great deal on legal remedies to address gender inequality. Classical liberal feminists support limited government and a free market as well as political and legal rights. Central facets of this approach are freedom of expression, religion, and conscience. Welfare liberal feminists favor government involvement in providing citizens, particularly underprivileged individuals, with housing, education, health care, and social security. They also maintain that the market should be limited through significant taxes and restricting profits.<sup>25</sup>

A major criticism of the liberal feminist perspective is that it primarily focuses “on the interests of white, middle-class, heterosexual women.”<sup>26</sup> Specifically, within the area of feminist criminology, some argue that the liberal perspective poses “men as the criminal yardstick.” This results in equating justice with equality and not considering other influential standpoints such as race/ethnicity and social class.<sup>27</sup> Joanne Belknap maintains that

prison reform for women would not be nearly as effective in achieving equality with men's prisons if the only goal was to allow the same access to health care, vocational, educational, legal, and treatment programs. While these would be significant advances, it is also necessary to request reforms that address women prisoners' experiences, needs, and histories that differ from male prisoners.<sup>28</sup>

Another area where the “equal treatment” doctrine is problematic is in sentencing. Specifically, sentencing reforms aimed at reducing race- and class-based disparities in sentencing for male offenders “may yield equality with a vengeance” for female offenders.<sup>29</sup> Thus, “equality defined as equal treatment of men and women . . . forestalls more fundamental change and in some instances may worsen women's circumstances.”<sup>30</sup>

## RADICAL FEMINISM

**Radical feminism** evolved from the women's liberation movement of the 1960s. This perspective emphasizes the importance of personal feelings, experiences, and relationships. Gender is a system of male dominance, and women's biology is the main cause of patriarchy.<sup>31</sup>

### LEARNING CHECK 11.1

\_\_\_\_\_ is determined through the use of socially agreed on biological criteria. \_\_\_\_\_ is a product of social “doings.” Engaging in a \_\_\_\_\_ relationship usually involves a bartering system in which men hold a more powerful status than do women. The idea of \_\_\_\_\_ denotes that women need to be protected for their own good. \_\_\_\_\_ is a social, legal, and political climate founded on male dominance and hierarchy.

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JOURNAL  
ARTICLE

Liberal Feminism

#### ..... traditional or conservative

**perspective:** causes of gender inequality are due to biological sex differences, and social behavior is based on the biological sex differences; does not offer any strategies for social change since men's and women's behaviors reflect evolutionary adaptations of sex differences

**liberal feminism:** one of the areas of feminist theories of crime that emphasize the assumption that differences between males and females in offending were due to the lack of female opportunities in education, employment, etc., compared with males

BILL OF RIGHTS FOR WOMEN	
I.	That the U.S. Congress immediately pass the Equal Rights Amendment to the Constitution to provide that "Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex," and that such then be immediately ratified by the several States.
II.	That equal employment opportunity be guaranteed to all women, as well as men, by insisting that the Equal Employment Opportunity Commission enforces the prohibitions against racial discrimination.
III.	That women be protected by law to ensure their rights to return to their jobs within a reasonable time after childbirth without the loss of seniority or other accrued benefits, and be paid maternity leave as a form of social security and/or employee benefit.
IV.	Immediate revision of tax laws to permit the deduction of home and child-care expenses for working parents.
V.	That child-care facilities be established by law on the same basis as parks, libraries, and public schools, adequate to the needs of children from the pre-school years through adolescence, as a community resource to be used by all citizens from all income levels.
VI.	That the right of women to be educated to their full potential equally with men be secured by Federal and State legislation, eliminating all discrimination and segregation by sex, written and unwritten, at all levels of education, including colleges, graduate and professional schools, loans and fellowships, and Federal and State training programs such as the Job Corps.
VII.	The right of women in poverty to secure job training, housing, and family allowances on equal terms with men, but without prejudice to a parent's right to remain at home to care for his or her children; revision of welfare legislation and poverty programs which deny women dignity, privacy, and self-respect.
VIII.	The right of women to control their own reproductive lives by removing from the penal code laws limiting access to contraceptive information and devices, and by repealing penal laws governing abortion.

Table 11.1 NOW's 1967 Bill of Rights for Women

Source: NOW Bill of Rights (Adopted at NOW's first national conference, Washington, D.C., 1967). Ed. M. Gagan (Ed.), *Sisterhood is powerful*. New York: Random House, pp. 513–514.

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The cause of gender inequality, according to this perspective, is based on men's need or desire to control women's sexuality and reproductive potential. Further, the process of gender formation is founded on the power relations between men and women, in which boys and men view themselves as superior to and having a right to control girls and women. These relations are further intensified through heterosexual sexuality, as defined by men.<sup>32</sup>

Radical feminists maintain, in principle, that sexism is the first, most widespread form of human oppression. They do not, however, agree on the nature or function of this sexism or on what strategies are needed for social change. Rosemarie Tong identified two types of radical feminism: libertarian and cultural.<sup>33</sup> Radical-libertarian feminists assert that an exclusively feminine gender identity will most often limit a woman's development as a full human person. They encourage women to become androgynous individuals who embody both (good) masculine and (good) feminine characteristics. Radical-cultural feminists argue that women should be strictly female/feminine. They should not try to be like men. Women should emphasize such values and virtues as interdependence, community, connection, sharing, emotion, body, trust, absence of hierarchy, nature, immanence, process, joy, peace, and life. Alternatively, women should not emphasize such values as independence, autonomy, intellect, will, wariness, hierarchy, domination, culture, transcendence, product, asceticism, war, and death.

Tong noted that this distinction, while not perfect,

helps explain not only why some radical feminists embrace the concept of androgyny and others eschew it, but also why some radical feminists view both sex and reproduction as oppressive, even dangerous for women and why others view these aspects as liberating, even empowering for women. . . . [R]adical feminists are not afraid to take exception to each other's views [italics added].<sup>34</sup>

## PERSONAL PERSPECTIVE



### Machismo

#### radical feminism:

emphasizes the importance of personal feelings, experiences, and relationships; gender is a system of male dominance, and women's biology is the main cause of patriarchy

Suggested strategies for social change among some radical feminists include overthrowing patriarchal relations, developing methods of biological reproduction to permit women's sexual autonomy, and establishing women-centered social institutions and women-only organizations. Other radical feminists celebrate gender differences, particularly women's special capacities or talents; however, these feminists do not pose gender differences in the framework of power relations.<sup>35</sup>

One of the criticisms of radical-libertarian and radical-cultural feminism is that they need to reconcile the split between themselves in an effort to avoid polarization, particularly in the area of sexuality. Even though radical-libertarian feminists are hesitant about consensual heterosexuality, they maintain that these relationships can be pleasurable for women. Radical-cultural feminists warn against the dangers of heterosexuality and have implied that there is no such thing as consensual heterosexuality. Thus, according to this view, "only lesbians are capable of consensual sex in a patriarchal society."<sup>36</sup> Citing Ann Ferguson, a socialist feminist, Tong notes that there is no one universal "function" for human sexuality.<sup>37</sup>

## MARXIST AND SOCIALIST FEMINISM

Some scholars maintain that while it is possible to distinguish between **Marxist feminism** and **socialist feminism**, it is difficult, particularly because these two perspectives' differences are more an issue of emphasis than of substance.<sup>38</sup> Marxist feminism places gender in the context of production methods. The burdens of physical and social reproduction in the home are operated and reinforced in a male-dominated economic and political order.<sup>39</sup> The causes of gender inequality are due to hierarchical relations of control with the increase of private property and ownership among men. Class relations are primary, and gender relations are secondary.<sup>40</sup> An insightful example of such gender and class relations is housework. Traditionally, housework has been delegated to women; however, housework does not produce surplus value or profit. Thus, some do not consider this labor (see Table 11.2). Marxist feminism focuses essentially on work-related inequalities, as well as enhancing our understanding of the trivialization of women's work in the home (e.g., raising children, doing housework) and the tedious, poorly paid jobs predominately occupied by women.<sup>41</sup> In fact, a study conducted by the University of Michigan revealed that having a husband creates an extra 7 hours of housework each week for women. Overall, however, the amount of housework performed by U.S. women has dropped considerably since 1976 (see Figure 11.1).<sup>42</sup>

Socialist feminism attempts to synthesize radical and Marxist feminism. This perspective attempts to integrate concepts such as male domination and political-economic relations. Social feminists focus on gender, class, and racial relations of domination. They differ from Marxist feminists in that both class and gender relations are deemed primary.<sup>43</sup> Within the socialist feminism perspective, there are two general themes: (1) two-system explanations of women's oppression and (2) interactive-system explanations of women's oppression. Under the two-system explanations, these emphases are less committed to the Marxist-founded framework. Rather, they maintain that patriarchy, not capitalism, may be women's ultimate worst enemy.<sup>44</sup> The interactive-system explanations attempt to illustrate that both capitalism and patriarchy are equal contributors to women's oppression; they are interdependent. These feminists use terms such as *capitalist patriarchy* or *patriarchal capitalism*.<sup>45</sup>

## POSTMODERN FEMINISM

**Postmodern feminism** is a more contemporary intellectual movement that has been modified and adapted by feminist theory. This perspective rejects the traditional assumptions about truth and reality; the emphasis is more on the plurality, diversity, and multiplicity of women as distinct from men.<sup>46</sup> Tong argues that the relationship between



VIDEO

Marxist Feminism

**Marxist feminism:** a perspective of crime that emphasizes men's ownership and control of the means of economic production; similar to critical or radical feminism but distinguished by its reliance on the concept of economic structure

**socialist feminism:** feminist theories that moved away from economic structure (e.g., Marxism) and placed a focus on control of reproductive systems; believes that women should take control of their own bodies and reproductive functions via contraceptives

**postmodern feminism:** a perspective that says women as a group cannot be understood, even by other women, because every person's experience is unique; therefore, there is no need to measure or research such experiences



	MINS/ DAY	HRS/ YEAR	HOUSE- HOLD WORK	\$ PER HOUR	\$ PER PERSON/ YR	TOTAL 97 \$ (MILLIONS)	GDP VALUE
Cooking/Washing Up	57	347	29%	\$ 9.20	\$ 3,190	<b>\$ 2,444</b>	15%
Cleaning/Laundry	40	243	20%	\$ 9.20	\$ 2,239	<b>\$ 1,715</b>	10%
Shopping	38	231	19%	\$ 9.20	\$2,127	<b>\$ 1,629</b>	10%
Maintenance/Repair	14	85	7%	\$ 9.20	\$ 784	<b>\$ 600</b>	4%
Other Housework	29	176	15%	\$ 9.20	\$ 1,623	<b>\$ 1,243</b>	8%
Primary Child Care	25	152	10%	\$7.58	\$ 1,153	<b>\$ 883</b>	5%
<b>Total Household</b>	202	1229	100%	\$9.02	\$ 11,084	<b>\$ 8,490</b>	51%
Voluntary Work	29	176		\$13.02	\$ 2,292	<b>\$ 1,755</b>	9%
<b>Total Unpaid Work</b>	231	1405			\$ 13,376	<b>\$ 10,245</b>	60%

Table 11.2 Economic Value of Labor Inputs Into Unpaid Work by Activity, Nova Scotia, 1997

Source: Colman, R. (1998). *The economic value of unpaid housework and child-care in Nova Scotia*, p. 103. Retrieved from <http://www.gpiatlantic.org/publications/summaries/houseworksumm.pdf>.

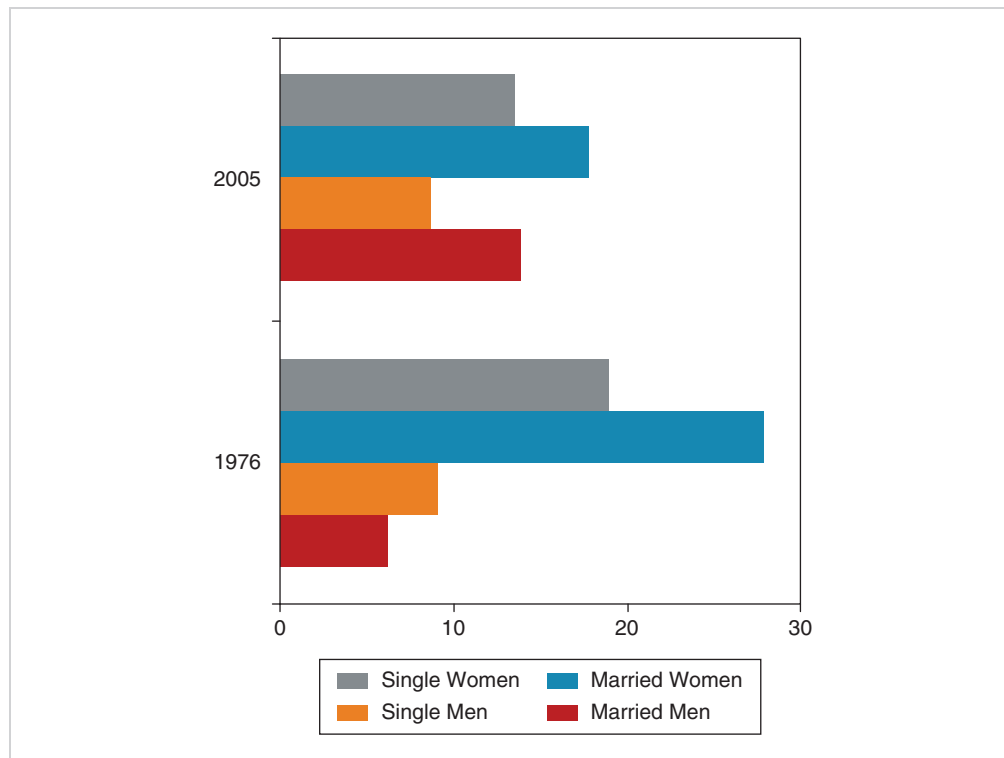


Figure 11.1 Weekly Hours of Basic Housework by Gender and Marital Status

Source: Kotz, D. (2008, April 7). Wives do more housework, study shows. *U.S. News & World Report*. <http://health.usnews.com/health-news/blogs/on-women/2008/04/07/wives-do-more-housework-study-shows>

postmodernists and feminists is “uneasy.”<sup>47</sup> For instance, similar to all postmodernists, postmodern feminists reject ideas centered on an absolute world that is “male” in style (e.g., phallogocentric). They also reject any attempts to provide a single explanation or steps women must take to achieve liberation (i.e., a feminist “to-do list”). Those who identify themselves as postmodern feminists “invite each woman who reflects on their

writings to become the kind of feminist she wants to be. There is, in their estimation, no single formula for being a ‘good feminist.’”<sup>48</sup>

However, this emphasis on diversity, and “no single formula for being a ‘good feminist,’” poses dilemmas for feminists:

The emphasis on diversity in postmodernism, however, ignores the need for political entities . . . that can pursue collective political action on women’s issues. If one calls for unity among women, one assumes that women are an entity that has “essentially” the same interests. . . . Thus, the marriage between postmodernism and feminism poses a threat to the political agenda of feminists.<sup>49</sup>

One suggested approach to addressing this dilemma is to adopt a stance of “positionality” or “both/and.” An individual does not need to choose between the postmodern focus on multiplicity and feminist politics. Rather, when a person is engaged in politics, he or she can act as though women (or African Americans or poor people) are a group united around a similar cause or purpose. In other situations, however, that person realizes and appreciates women’s (or other groups’) diversity.<sup>50</sup>

## ADDITIONAL FEMINIST PERSPECTIVES

Additional feminist perspectives include ecofeminism as well as global and postcolonial feminism. Ecofeminism was developed around the 1980s to examine relations between environmental issues and women’s issues. It sprang from the growing global environmental crisis. Ecofeminists perceive domination—of women, minority groups, animals, and the Earth—as the essential problem, rather than patriarchy.<sup>51</sup> This perspective, however, contains many varieties, such as nature ecofeminism, radical-cultural ecofeminism, and spiritual ecofeminism.<sup>52</sup>

Global and postcolonial feminism emerged in the mid-1970s. This is an international women’s movement founded in the commonalities of women’s lives, such as low economic status. This perspective critically explores the impact of development, patriarchal religions, international trafficking in women, and the Westernization of the Third World.<sup>53</sup> While feminists from First World nations (i.e., those nations that are heavily industrialized, located primarily in the Northern Hemisphere) are essentially interested in issues revolving around sexuality and reproduction, a number of Third World feminists (i.e., those in economically developing nations, located primarily in the Southern Hemisphere) are concerned not only with gender issues but with political and economic issues as well.<sup>54</sup>

In the next section, we provide a brief overview of the traditional theories of female criminality. This context will provide readers with a better understanding of the development of feminist criminology.

## TRADITIONAL THEORIES OF FEMALE CRIME

From antiquity to the present, cultures have categorized women into “either/or” roles.<sup>55</sup> One such pervasive conceptualization is the Madonna/whore duality. This cultural ideology has been reflected and perpetuated by the criminal justice system. It is grounded in

### LEARNING CHECK 11.2

\_\_\_\_\_ feminism has also been termed *mainstream feminism*. According to the \_\_\_\_\_ feminist perspective, gender is a system of male dominance, and women’s biology is the main cause of patriarchy. Some have maintained that there are two types of radical feminism: \_\_\_\_\_ and \_\_\_\_\_. The \_\_\_\_\_ feminist perspective views class relations as primary and gender relations as secondary. The \_\_\_\_\_ feminist perspective rejects the traditional assumptions about truth and reality and emphasizes the plurality, diversity, and multiplicity of women as distinct from men.

Answers located at [www.sagepub.com/schram](http://www.sagepub.com/schram)



AUDIO

Feminism


**COMPARATIVE CRIMINOLOGY: *TRAFFICKING IN PERSONS***

### *Ranking Regions/Countries as Most Likely for Trafficking in Persons*

In this section, we examine the findings and conclusions of studies regarding trafficking in persons, largely collected by the U.N. Office on Drugs and Crime (UNODC). The findings of these recent studies regarding the prevalence of trafficking in persons in certain countries, including the main origin countries as well as the main transit and main destination countries, are enlightening in several ways. The majority of trafficking in persons cases are for the purpose of sexual exploitation (77%), followed by those for the purpose of labor exploitation (23%). More than 50% of the victims are women, and more than 40% are minors (mostly girls).

Van Dijk synthesized some of the data from the UNODC published in 2006,<sup>56</sup> as well as a study by Kristina Kangaspunta regarding the prevalence of trafficking in persons in the year 2002.<sup>57</sup> As shown in Table 11.3, the top five countries with the highest frequencies of trafficking in persons for country of origin (starting with the highest) were Russia, Ukraine, Thailand, Nigeria, and the Republic of Moldova (notably, the United States did not make the top 10 countries of origin). The top five main transit countries (those through which trafficked

persons were sent) were (starting with the highest) Albania, Bulgaria, Hungary, Poland, and Italy. Finally, the top five destination countries were (starting with the highest) Belgium, Germany, Greece, Italy, and the Netherlands. Notably, the United States ranked 10th in destination countries.

As with data collected through official sources, this information may be more a reflection of the investigative activities of the police, or lack thereof, than of the extent of such crimes. This may be due to various reasons. First, not all countries are committed, or able, to conduct investigations or prosecutions of such cases. Second, trafficking in persons is not criminalized in some countries, so prosecutions of these crimes may be designated as something other than trafficking. Van Dijk maintains that if governments are not forthcoming about such crimes, the international media can be a helpful resource. Further, since trafficking in persons is a transnational crime, “reports on cases of human trafficking coming from destination countries often provide information about where the victims were recruited and through which countries they were transported.”<sup>58</sup> Thus, while some countries, such as countries of origin or transit, may not acknowledge such criminal activities, information obtained from destination countries can be useful.

	MAIN COUNTRIES OF ORIGIN	MAIN TRANSIT COUNTRIES	MAIN DESTINATION COUNTRIES
1	Russian Federation	Albania	Belgium
2	Ukraine	Bulgaria	Germany
3	Thailand	Hungary	Greece
4	Nigeria	Poland	Italy
5	Republic of Moldova	Italy	The Netherlands
6	Romania	Thailand	Israel
7	Albania		Turkey
8	China	—	Japan
9	Belarus	—	Thailand
10	Bulgaria	—	United States
11	Lithuania	—	

**Table 11.3 Most Frequently Cited Countries of Origin, Transit, and Destination of Trafficking in Persons (2002)**

Sources: Kangaspunta, K. (2003). Mapping the inhuman trade: Preliminary findings of the database on trafficking in human beings. *Forum on Crime and Society*, 3, 81–105; United Nations Office on Drugs and Crime (UNODC). (2006). *Trafficking in persons: Global patterns*. Vienna.

two contrasting perceptions of the female “nature” or sexuality. The Madonna image personifies women as faithful and submissive wives, as well as nurturing mothers. The whore image portrays women as temptresses who prey on a man’s sexuality and self-control. Inherent in this dichotomization are class and racial/ethnic assumptions. The Madonna image was primarily restricted to women from white, middle- to upper-class backgrounds.<sup>59</sup>

Young further argued that black women have not experienced this “good/bad” dichotomy.<sup>60</sup> Rather, stereotypes of black women have essentially been “bad.” Young attempted to identify the gender role characterizations that have been attributed to black females. For instance, the characterization of the black female as a matriarch has revealed two negative images—the *Amazon* (domineering, strong, assertive, independent, and masculine) and the *sinister Sapphire* (dangerous, castrating, and treacherous toward black men). Another instance of contradictory images is founded on myths concerning a black woman’s sexuality—*mammy* (long-suffering, patient, nurturing, and asexual) and *seductress* (loose, immoral, and sexually depraved).<sup>61</sup> Young argues that black women in American society have been victimized by their double status as blacks and as women. Specifically, discussions of blacks have focused on the black man and discussions of females have focused on the white woman. Rather than being considered as a primary focus, black women have been on the periphery of understanding in terms of their position relative either to black males or to white females. Thus, “these images have influenced the way in which black female victims and offenders have been treated by the criminal justice system.”<sup>62</sup>

Another pervasive cultural perception is “femininity.” The concept of femininity is made up of various traits such as gentleness, sensitivity, nurturance, and passivity. Comparatively, traits associated with masculinity include intelligence, aggressiveness, independence, and competitiveness.<sup>63</sup> These conceptualizations become problematic when such traits are assumed to be inherent to an individual’s sex or are considered as “biological fact.”<sup>64</sup> Gender roles guided by concepts of femininity and masculinity are considered to be sex-linked behaviors as well as traits.<sup>65</sup> Related to the conceptualization of femininity was the cult of true womanhood. The attributes of true womanhood comprised four virtues: piety, purity, submissiveness, and domesticity.<sup>66</sup>

Theories of female criminality emerged within this cultural context and the prevailing assumptions regarding women (e.g., the Madonna/whore duality, femininity, and the cult of true womanhood). When contextualized, the development of such theoretical constructs illustrates that “those women who do commit offenses are judged to be either criminal by nature or pathological because they deviate from the ‘true’ biologically determined nature of women which is to be law abiding.”<sup>67</sup> Nicole Rafter Hahn argued that a woman was usually deemed “bad” if she had one of the following characteristics: (1) She was indecisive and lacked “moral fortitude,” (2) she was promiscuous, or (3) she was irresponsible, because she was loosening not only her morals and values but also those of her mate and descendants.<sup>68</sup>

NEWS  
CRIME IN  
THE NEWS

Female Assassins



This photo of a Victorian woman illustrates what is referred to as the cult of true womanhood.

The following sections briefly review some of the early theories of female crime that reflect and incorporate these negative perceptions. Specifically, we will discuss such theorists as Cesare Lombroso, W. I. Thomas, Sigmund Freud, and Otto Pollak.

## CESARE LOMBROSO

One of the earliest theorists focusing on the female offender was **Cesare Lombroso**.<sup>69</sup> In his book *The Female Offender*, Lombroso emphasized the physiological and psychological determinants of female criminality rather than socializing factors or social–structural constraints.<sup>70</sup> For instance, Lombroso summarized some of the anomalies associated with prostitutes and other female offenders. He noted that prostitutes essentially do not have any wrinkles but are more likely to have moles, hairiness, large jaws and cheekbones, and anomalous teeth (see Table 11.4). According to Lombroso, women who committed homicides often had cranial depressions as well as prominent cheekbones.

	14 TO 24 YEARS		25 TO 49 YEARS.		50 YEARS & OVER.	
	Normal 54. Percent	Criminal 20. Percent	Normal 72. Percent	Criminal 41. Percent	Normal 32. Percent	Criminal 9. Percent
Deep frontal, horizontal wrinkles	9.2	25	41.7	53.6	90.6	88.8
Deep fronto-vertical wrinkles	1.8	—	6.9	7.3	40.6	71
Crow's-feet	5	12.5	20	33	78	88.8
Wrinkles under the eye-lids	1.8	—	15	14.6	46.6	44.4
Naso-labial wrinkles	25.9	25	69.5	63.3	96.7	100
Zygomatic wrinkles	—	—	5.5	12.2	28.1	22.2
Goniometal wrinkles	—	25	36.1	31.7	53.1	44
Labial wrinkles	—	—	6.9	12.2	28.1	44

Table 11.4 An Example of Lombroso's Summary Data Collected on Female Offenders—Wrinkles

Source: Lombroso, C. (1898). *The female offender*. New York: D Appleton, p. 72.

### Cesare Lombroso:

one of the earliest theorists focusing on the female offender; his book emphasized the physiological and psychological determinants of female criminality rather than socializing factors or social–structural constraints

Lombroso implemented a typology for female offenders similar to the one he did for male offenders. He begins the chapter “The Born Criminal” by citing sexist comments such as the following Italian proverb: “Rarely is a woman wicked, but when she is she surpasses the man.”<sup>71</sup> Other traits of this born criminal include a lack of the maternal instinct (which was regarded as a biological trait), as well as an excessive desire for revenge, cruelty, greed and avarice, love of dress and ornaments, a lack of religious feeling, and untruthfulness. When summarizing traits of the occasional criminal, Lombroso notes that occasional offenders can be divided into two classes—one that includes the milder types of born criminals and another that differs only slightly from the normal, or “consisting of normal women in whom circumstances have developed the fund of immorality which is latent in every female.”<sup>72</sup> Although this theory has been refuted, this “biological

determinism” perspective is entrenched in some theories of female criminality. For instance, while more sophisticated and technical, this biological determinism is evident with premenstrual syndrome explanations of female crime.<sup>73</sup>

## W. I. THOMAS

**W. I. Thomas** argued that there are basic biological differences between males and females. For instance, maleness is “katabolic,” which denotes the animal force that uses the destructive release of energy, resulting in the potential for creative work. Femaleness is “anabolic,” which denotes motionless, lethargic, and conservative energy.<sup>74</sup> Thus, females were seen as passive and motionless, while males were seen as active and dynamic.<sup>75</sup> In his subsequent work, Thomas focused on female delinquency. This work was noted for a transition from physiological explanations to more sophisticated theoretical explanations that incorporate physiological as well as psychological and social–structural explanations.<sup>76</sup>

Thomas maintained that humans essentially have four desires: (1) the desire for new experience, (2) the desire for security, (3) the desire for response, and (4) the desire for recognition.<sup>77</sup> The desire for new experience and the desire for response were the two wishes that influenced criminal behavior. Therefore, Thomas argued that a woman who went into prostitution did so to satisfy a desire for excitement and response; for a woman, prostitution was the most likely option to satisfy those needs.<sup>78</sup> Environmental factors were also incorporated in Thomas’s work. For instance, he maintained that “when crime and prostitution appear as professions they are the last and most radical expressions of loss of family and community organization.”<sup>79</sup>

## SIGMUND FREUD

Many early theories of female deviance embraced the psychoanalytic writings of **Sigmund Freud**. Many of these theories evolved from two key concepts: (1) the structure of the personality and (2) the psychosexual stages of development of the child.<sup>80</sup> Freud perceived women as anatomically inferior—biologically destined to be wives and mothers. The basis for this inferiority is that women’s sex organs are inferior to men’s sex organs. This is further argued by noting that the girl assumes that she has lost her penis as a punishment; as a result of this assumption, she is traumatized and matures with a sense of envy and vengeance. The boy also realizes that the girl has lost her penis; he fears a similar punishment and is wary of the girl’s envy and vengeance. Thus, “women are exhibitionistic, narcissistic, and attempt to compensate for their lack of a penis by being well dressed and physically beautiful.”<sup>81</sup> The Freudian orientation is not just restricted to this form of penis envy for understanding female deviant behavior. Freud also maintained that women are inferior because they are more concerned with personal matters and have very little interest in social issues.<sup>82</sup>

Within this perspective, a deviant woman attempts to be a man. Such a woman is forcefully rebellious. This drive to accomplishment is due to her longing for a penis. Since this drive will never be fulfilled, the result is that the woman will become “neurotic.” According to the Freudian orientation, the best way to treat such a woman is to help her adjust to her sex role. Thus, this reflects “the notion of individual accommodation that repudiates the possibility of social change.”<sup>83</sup>

## OTTO POLLAK

In his 1950 book *The Criminality of Women*, **Otto Pollak’s** concluding statement was that “the criminality of women reflects their biological nature in a given cultural setting.”<sup>84</sup> Pollak argued that women are more criminal in nature than many have generally



REFERENCE  
ARTICLE

The Female Offender



CRIME IN  
THE NEWS

Prostitution



WHAT WERE  
THEY THINKING?!

Prostitution

**W. I. Thomas:** argued that there are basic biological differences between males and females

**Sigmund Freud:** originated psychoanalysis, founded on the perception of resistance used by individuals when therapists attempt to make them conscious of their unconscious; perceived women as anatomically inferior

**Otto Pollak:** argued that women are more criminal in nature than has been generally perceived; suggested that criminologists should address the unknown criminality of women

### LEARNING CHECK 11.3

According to \_\_\_\_\_, the criminality of women is primarily due to their ability to mask or hide their criminal behavior. \_\_\_\_\_ maintained that women are inferior to men; this is primarily due to women's sex organs being inferior to men's sex organs. Lombroso's theory has been designated as \_\_\_\_\_ determinism. According to Thomas, maleness is "katabolic" and femaleness is \_\_\_\_\_.

Answers located at [www.sagepub.com/schram](http://www.sagepub.com/schram)

perceived. He suggested that criminologists should address the following three questions: (1) Are those crimes in which women seem to participate exclusively, or to a considerable extent, offenses that are known to be greatly underreported? (2) Are women offenders generally less often detected than are men offenders? (3) Do women, if apprehended, meet with more leniency than do men?<sup>85</sup> This unknown criminality is essentially due to women's deceitful nature and the "masked" quality of female criminality. He maintained that "the criminality of women is largely masked criminality."<sup>86</sup>

Pollak supported his theory of "hidden" criminality by noting such factors as the relative weakness of a woman, which make deceit necessary as a defense; that all oppressed classes use subversion as a common tactic; that a woman's socialization teaches her to conceal many things, such as menstruation, aggression, and marital frustration; and that the biology of the female enables her to deceive (i.e., she can fake an orgasm, while a man cannot).<sup>87</sup>

Man must achieve an erection in order to perform the sex act and will not be able to hide his failure. His lack of positive emotion in the sexual sphere must become overt to the partner, and pretense of sexual response is impossible for him, if it is lacking. Woman's body, however, permits such pretense to a certain degree and lack of orgasm does not prevent her ability to participate in the sex act.<sup>88</sup>

It is interesting to stress that while Pollak did consider biological factors, he incorporated sociological factors as well. Like the other theorists we have discussed above, these sociological factors were based on assumptions and prejudices.<sup>89</sup>

In her classic essay on female crime, Dorie Klein revealed that theorists such as Lombroso, Thomas, Freud, and Pollak focused primarily on women's biology (i.e., their sexuality) or some type of psychological problem. Klein argued that these theorists focused on women's sexuality or other stereotypical traits, such as women being manipulative, to explain criminal behavior. They did not, however, examine economic, political, or social factors that provide a more comprehensive understanding of female criminality.<sup>90</sup>

## FEMINIST CRITIQUES OF PREVIOUS RESEARCH STUDYING WOMEN AND CRIME

Feminist scholars have argued that science reflects the social values and concerns of dominant societal groups.<sup>91</sup> Subsequently, research in the social sciences has often ignored women and issues of concern to women, or has created differences between women and men, girls and boys that are not "natural, essential, or biological."<sup>92</sup> Studies of women and crime have also been either marginalized or "invisible."<sup>93</sup> In 1977, Carole Smart noted that women have not been *entirely* ignored in the study of crime and deviance. The quality of work, however, is questionable at best. She stressed the importance of contextualizing female criminality within a broader framework: moral, political, economic, and sexual spheres.<sup>94</sup>

From a critical, feminist perspective, Ngaire Naffine conducted an extensive review of the literature pertaining to female criminality. Her review examined such theoretical perspectives as strain theory, differential association, masculinity theory, the Control School, labeling theory, and the women's liberation thesis (discussed below).<sup>95</sup> With the exception of the women's liberation thesis, female criminality was rarely a major focus of these various theoretical perspectives. In fact, these theories were primarily based on adult and juvenile male offenders. If female criminality was mentioned, in most instances these explanations were founded on sexist assumptions and biases.

It is essential to understand that the inclusion of women does not necessarily imply that the study is using a feminist framework. To illustrate this point, feminists note that research using either an “add-and-stir” approach or a sex roles approach do not incorporate key feminist concepts:

**1. Add women and stir.** One approach to eliminating the “male centeredness” (i.e., androcentrism) of traditional analyses is the “add-and-stir” approach. That is, one uses an existing theoretical perspective based on males and “adds” women. Feminists argue, however, that if one merely “adds women and stirs” in a perspective or schema established by an androcentric analysis, the experiences of women will be marginalized or ignored. Women's experiences would then be located “as compared to men's” perspective. Many scholars contend that a great deal of criminological research incorporates this approach. Thus, although women are not necessarily invisible, their experiences and representation are infrequent and distorted.<sup>96</sup>

**2. Sex roles.** Another approach to conducting research on women has been to focus on the social construction of *sex roles*, currently referred to as *gender roles*.<sup>97</sup> Research using this approach has been criticized primarily because there is a tendency to perceive these roles as being almost sex linked, without incorporating a larger context as to how these roles have been defined or “determined.” This approach can lead to a form of biological determinism due to the limited explanation or theoretical understanding of the conceptualization of roles.<sup>98</sup> (The “Why Do They Do It?” case on page 300 further illustrates this idea of “the conceptualization of roles” as related to a sex offender.) Candace West and Don Zimmerman proposed that it is essential to move beyond this approach of sex role, or gender role, studies. Instead, the focus of research should be “what is involved in doing gender as an ongoing activity embedded in everyday interaction.”<sup>99</sup>

The first of the modern gender-based perspectives on crime tried to understand female criminality rather than provide a more gender-sensitive approach to criminal behavior. The liberation thesis is one example of such a theoretical perspective. Another example of a gender-based perspective is John Hagan's power–control theory. While this is not a feminist theory, it is an integrated theory informed by feminism.<sup>100</sup>

## LIBERATION THESIS

The **liberation thesis**, also referred to as the emancipation hypothesis, attempts to link the women's liberation movement with female crime rates. While there were various explanations for the changing female crime rates, two predominant explanations were (a) the increased opportunities for women to participate in the labor force and, thus, increased opportunities to commit certain types of crime, and (b) the changing self-concept and identity of women and girls due to the consciousness-raising aspects of the movement.<sup>101</sup> Two often-cited scholars of this perspective are Freda Adler and Rita Simon. It is essential to stress that these perspectives were offered during the second wave of feminism. Thus, they were influenced by what was occurring in the broader social context of that time.



VIDEO

Mary K. Letourneau

### add women and stir:

when one uses an existing theoretical perspective based on males and “adds” women

### sex roles:

research using the sex role approach has been criticized primarily because of the tendency to perceive these roles as being almost sex-linked, without incorporating a larger context for how these roles have been defined, leading to a form of biological determinism

### liberation thesis:

also referred to as the emancipation hypothesis; attempts to link the women's liberation movement with female crime rates





WHY  
DO THEY  
DO IT?

MARY K. LETOURNEAU



When Mary K. Letourneau was 34 years old, she was married to Steve Letourneau, a cargo specialist for Alaska Airlines, and mother to their four children. Letourneau was a well-respected elementary school teacher in Burien, Washington. On March 4, she was arrested on charges of second-degree child rape. She was pregnant by her 12-year-old student, Vili Fualaau. On August 7, 1997, Letourneau pled guilty to two counts of child rape. However, she maintained that her relationship with Fualaau was loving and consensual rather than predatory. In November, she was sentenced to 7 years and 5 months in prison. Judge Linda Lau initially suspended the sentence under the condition that she not have any contact with

Fualaau. In February, the judge found out that Letourneau did have further contact with the student, and she was subsequently sent to prison. Letourneau was pregnant with their second child.

Letourneau was released from prison on August 4, 2004. Hours after her release, Fualaau, now 21 years of age, filed a motion to vacate the sentencing order that barred any further contact between him and Letourneau.

This story captured the attention of many across the world. More than 100 reporters and photographers from national and international news organizations covered the sentencing hearing. One television producer noted that if this were a 35-year-old man who impregnated a 13-year-old girl, he would be in prison and there would most likely be little coverage of the story. However, this case involved a 35-year-old woman and a 13-year-old boy. Some would argue that she did not fit the stereotype of a sex offender. Do you think she is a sex offender? Do some people view male sex offenders differently than they view female sex offenders?

Source: Kangaspunta, 2003;  
UNODC, 2006.

In her 1975 book *Sisters in Crime*, Adler argued that as women continue to strive for equality with men, they will also have more opportunities to commit crimes that were previously unavailable to them due to occupational discrimination:

Women are closing many of the gaps, social and criminal, that have separated them from men. The closer they get, the more alike they look and act. . . . The simplest and most accurate way to grasp the essence of women's changing patterns is to discard dated notions of femininity. That is a role that fewer and fewer women are willing to play. In the final analysis, women criminals are human beings who have basic needs and abilities and opportunities. Over the years these needs have not changed, nor will they. But women's abilities and opportunities have multiplied, resulting in a kaleidoscope of changing patterns whose final configuration will be fateful for all of us.<sup>102</sup>

As the position of women becomes similar to that of men, this will result in women obtaining not only legitimate opportunities in the labor force but illegitimate opportunities as well.<sup>103</sup>

In her 1975 book *Women and Crime*, Simon proposed a similar argument.<sup>104</sup> She did differ from Adler, however, with respect to the types of crime that would be influenced by the women's movement. Adler maintained that due to women's liberation, the violent crime rate among women would increase. Simon suggested that only the property crime

CRIME IN  
THE NEWS



Mary K. Letourneau

rates among women would increase and that the violent crime rates among women would, in fact, decrease because women's frustrations would lessen as they were provided more opportunities in employment and education.<sup>105</sup>

Naffine outlined the assumptions of the women's liberation theory: (1) The liberation movement can be linked to an increase in female crime, (2) the increase in female crime is a function of women becoming more masculine, and (3) these increases in female crime are due to women becoming actively competitive with men.<sup>106</sup> There are various problems with these assumptions, including the assumption about the relation between enhanced structural opportunities and the increase in women's offending rates. Statistics have revealed that women have not achieved equality in those high-paying and managerial professions.<sup>107</sup> There have been additional criticisms of the liberation thesis, including the manipulation of statistics and attempts to support the assumption that gender equality "produces" increases in crime rates among women.<sup>108</sup>

## POWER-CONTROL THEORY

John Hagan and his colleagues developed the **power-control theory**, incorporating a conflict-oriented theory with social control theory.<sup>109</sup> The power-control theory attempted to explain gender differences in delinquency rates by including family dynamics. Specifically, Hagan argued that youths from families characterized as patriarchal (i.e., mother has lower status than father) revealed greater gender differences in delinquency rates compared with youths from more egalitarian homes (i.e., parents have same status or mother is the only parent in the home) (see Figure 11.2).

The argument was that female youths from more egalitarian families were encouraged to engage in risk-taking behaviors—just as their brothers were. Risk-taking behavior is considered to be related to delinquent behavior. Alternatively, female youths from patriarchal families were encouraged to avoid risk-taking behavior—unlike their brothers. Thus, these female youths were less likely to engage in delinquent behavior.

An integral aspect to the relationship between family dynamics, gender, and delinquency rates was social class. Hagan and his colleagues stressed the importance of class structure

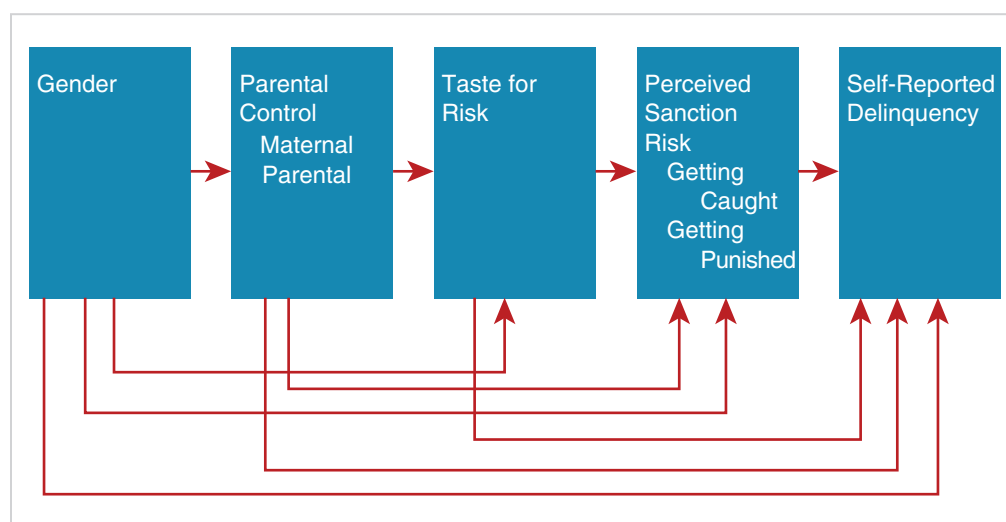


Figure 11.2 Causal Model of Gender and Delinquency

Source: Hagan, J., Gillis, A. R., & Simpson, J. (1985). The class structure of gender and delinquency: Toward a power-control theory of common delinquent behavior. *American Journal of Sociology*, 90, 1157.

**power-control theory:** integrated theory of crime that assumes that, in households where the mother and father have relatively similar levels of power at work, mothers will be less likely to exert control over daughters, and in households where mothers and fathers have dissimilar levels of power in the workplace, mothers will be more likely to suppress criminal activity in daughters but not in sons

WHY  
DO THEY  
DO IT?

LAVINIA FISHER



On February 18, 1820, Lavinia Fisher and her husband, John Fisher, were hanged on the gallows in Charleston, South Carolina, for multiple robberies and murders. During the early 1800s, the Fishers operated a hotel called the Six Mile Wayfarer House, which was located 6 miles from Charleston, South Carolina. Men visiting Charleston started going missing—all after staying at the Six Mile Wayfarer House. After numerous reports of these missing men, authorities initiated an investigation. But given the couple's popularity and the lack of evidence, the authorities halted the investigation.

The local townspeople, however, were not satisfied and assembled a group of vigilantes who attempted to stop the activities occurring at the hotel. Apparently, they were satisfied with their endeavors and returned to Charleston. At around the same time, John Peeples was traveling from Georgia to Charleston. He stopped at the Six Mile Wayfarer House to see if they had an available room. Lavinia greeted Mr. Peeples and informed him they did not have a room but invited him to tea and dinner. Mr. Peeples was attracted to Lavinia's beauty and charm. She asked him numerous questions. After some time, she informed Mr. Peeples that a room was available. During this time, Lavinia kept pouring tea for him; he did not like tea, but rather than appearing rude by refusing the tea, he poured it out when she was not looking.

Soon, Mr. Peeples grew uncomfortable. He noticed that Lavinia's husband, John, was shooting him odd glances while he talked to Lavinia; also, Mr. Peeples was worried that he provided Lavinia with too much information and thought he may be a target for robbery. So he decided to rest in the chair by the door rather than in the bed. Later in the evening he was awakened by a loud noise. He realized that the bed he should have been sleeping in had disappeared into a deep hole in the floor. Mr. Peeples jumped out of the window and quickly informed the authorities. The police arrested John and Lavinia Fisher, along with two men working with them. The police thoroughly searched



Built in 1802, the Old City Jail in Charleston, South Carolina, housed Lavinia Fisher and her husband, John.

the Six Mile Wayfarer House, uncovering hidden passages throughout the hotel, items that could be linked to various travelers who had been reported missing, tea laced with an herb that puts a person to sleep, a mechanism that opened the floorboards underneath the bed, and almost 100 sets of human remains in the basement.

Some have considered Lavinia Fisher to be the first known female serial killer in the United States. Why do you think Lavinia Fisher was involved with robbing and murdering numerous men visiting the Six Mile Wayfarer House? Do you think there is a biological explanation? Do you think there may be a psychological explanation? Or do you think there are other factors that one should consider in explaining her criminal activity?

Source: South Carolina legends: Lavinia Fisher—First female American serial killer. Retrieved from <http://www.legendsofamerica.com/sc-laviniafisher.html>. See also Orr, B. (2010). *Six miles to Charleston: The true story of John and Lavinia Fisher*. Charleston, SC: History Press.

in the gender–delinquency relationship. While in all classes males are freer to engage in delinquent behavior than females, males in more powerful classes are the freest to engage in such behavior compared with males in less powerful classes.<sup>110</sup> As a result, individuals—especially those from various social classes—experience power relationships in the larger society differently. Specifically, the social reproduction of gender relations refers to those activities, institutions, and relationships that are involved in maintaining and reinforcing gender roles. These activities include those individuals responsible for caring for, protecting, and socializing children for their adult roles. According to this theoretical perspective, family class structure shapes the social reproduction of gender relations, which then influences rates of delinquency.<sup>111</sup> These power relationships in the larger society are reflected in the family relationships. Evaluations of the power–control theory reveal inconsistent findings;<sup>112</sup> others have maintained that the power–control theory is just a variation of the liberation thesis (i.e., the mother’s liberation causes the daughter’s criminal behavior).<sup>113</sup>

## FEMINIST PERSPECTIVES ON UNDERSTANDING CRIME AND CRIMINAL BEHAVIOR

In 1987, Sandra Harding asked the question, “What’s new in feminist analyses?” She provided three characteristics or features that distinguish feminist research.<sup>114</sup> The first feature is that the empirical and theoretical bases emanate from women’s experiences. These bases, or resources, question as well as challenge traditional understandings of what has been considered human activity, as defined by white, European, middle-class men. By examining *women’s experiences*, various issues are raised that contradict traditional research. The second feature of feminist analyses was the new purpose *for* women, whereas traditional analyses have primarily been for men. Research questions and answers are not “to pacify, control, exploit, or manipulate women.” Furthermore, this research is implemented to meet the needs of women and to understand as well as voice their experiences. The final characteristic of feminist research was locating the researcher in the same critical plane as the subject matter. Harding initiated this discussion by stressing that the sources of social power need to be examined. Specifically, she provided an example of how numerous studies have focused on the “peculiar mental and behavior characteristics” of women. Only recently, however, have there been studies on the “bizarre mental and behavioral characteristics of psychiatrists.”<sup>115</sup>

Feminist scholars have raised various concerns with traditional research methods. Below, we briefly discuss two of these issues: (1) objectivity and subjectivity, and (2) qualitative “versus” quantitative analyses.

### OBJECTIVITY AND SUBJECTIVITY

**Objectivity** refers to being “neutral,” “value free,” or “unbiased.” Feminist scholars challenge research claims of objectivity. In fact, they maintain that such claims are tautological; “value-free” (i.e., objective) research is a value. Furthermore, feminist scholars argue that the standards to assess objectivity are founded on biases established by, and for, individuals of privilege. Science and its practice are influenced by the values and experiences of its practitioners.<sup>116</sup> These practitioners are primarily from privileged backgrounds (i.e., white, middle-class males);<sup>117</sup> thus, androcentric and sexist biases are implicit in the standards implemented for conducting scientific research.<sup>118</sup> In the context of feminist jurisprudence, Catharine MacKinnon noted that “objectivity—the nonsituated, universal standpoint, whether claimed or aspired to—is a denial of the existence or potency of sex inequality that tacitly participates in constructing reality from the dominant point of view.”<sup>119</sup>

Carolyn Wood Sherif provided additional challenges concerning “objective” research.<sup>120</sup> Her criticisms were primarily directed toward psychological research, but the issues that



AUTHOR  
PODCAST

Feminist Perspective

**objectivity:** refers to being “neutral,” “value free,” or “unbiased.” Feminist scholars challenge research claims of objectivity

she raised can be directed to various types of social science research. She maintained that biases can occur at different points in the research process, including what to study, how to study the participants, and which behaviors or attitudes of the participants will be observed or ignored:

The opportunity starts when a researcher decides what to study and it continues to widen during decisions about how to study the subject. . . . The researcher decides, of course, often in highly arbitrary ways dictated by custom in previous research, not by what the person does or is doing in daily life. . . . The researcher makes all of these decisions, often forgetting at times that he or she is a human being who is part of the research situation too.<sup>121</sup>

Feminist researchers acknowledge their biases and argue that other researchers need to do so as well. “In doing so, the false idealization of objectivity and the criticisms of subjectivity become meaningless and irrelevant.”<sup>122</sup>

### QUALITATIVE “VERSUS” QUANTITATIVE ANALYSES

On the surface, the major distinction between these two types of analyses appears to be how the data are represented: **qualitative** is nonnumerical, and **quantitative** is numerical. But feminist researchers have raised questions regarding qualitative and quantitative methods. Toby Epstein Jayaratne and Abigail J. Stewart noted that quantitative methods translate individuals’ experiences into predefined categories designated by the researchers. This method distorts women’s experiences and results in “silencing women’s own voices.”<sup>123</sup> Those scholars advocating qualitative methods maintain that women’s understandings, emotions, and actions must be explored in those women’s own terms.

Researchers advocating quantitative methods maintain that although these methods can be, and have been, used to distort women’s experiences, they need not be. As this discourse continues, emphasizing *only* qualitative methods for feminist research has also been critiqued. For instance, Jacquelyn White and Richard Farmer conducted a study on sexual violence and implemented a multiple-strategic approach. They argued that it is essential to recognize that *both* the qualitative and quantitative methods have strengths and weaknesses:

Empirical analytic methods cannot help us know the phenomenological experiences of a beautiful sunset, nor can we know the phenomenological experience of a rape survivor using traditional research paradigms. Conversely, subjective reports shed little light on the incidence and prevalence of sexual assault. There is, however, much that can be learned from both subjective methods and traditional scientific approaches when applied to the study of sexual aggression and victimization.<sup>124</sup>

It is essential to note that issues relevant to these types of research methods have been “politicized”—specifically, one method (i.e., quantitative) being deemed more “scientific” than the other (i.e., qualitative). However, one method is not “inherently” superior to the other; rather, these methods are only different approaches to understanding reality.

### FEMINIST CRIMINOLOGY

Feminist criminology evolved, primarily from liberal feminists, with the realization and objection that gender was essentially ignored and excluded from criminological theory.<sup>125</sup> This exclusion was difficult to understand given that gender was such a strong predictor of criminal behavior.<sup>126</sup> Further, feminists recognized the limitations of critical and radical criminological perspectives given the primary focus on economic disparities without

#### AUTHOR VIDEO



#### Feminist Perspective

**qualitative:** nonnumerical research methods; often compared with quantitative research methods

**quantitative:** numerical research methods; often compared with qualitative research methods

examining the issues of race and gender. Thus, “early feminist criminologists demanded that analyses of crime include consideration of gender in ways that had not occurred before.”<sup>127</sup>

Twenty years after her essay on female crime, Dorie Klein included an afterword; she maintained that feminist criminologists need to address three major challenges: (1) continue to search for the scientific basis of theories of men’s and women’s criminal behavior, (2) reexamine gender and racial/ethnic biases in the social sciences, and (3) develop a new definition of crime.<sup>128</sup> Joanne Belknap gave an overview of the potential of various traditional criminological theories to provide insight in examining gender differences and similarities in understanding criminal behavior. Some of the traditional criminological theories that do have some promise in this area of understanding include differential association theory and strain and general strain theory.<sup>129</sup>

Kathleen Daly and Meda Chesney-Lind identified the following five elements that distinguish feminist thought from other forms of social and political thought:

1. Gender is not a natural fact but a complex social, historical, and cultural product; it is related to, but not simply derived from, biological sex differences and reproductive capacities.
2. Gender and gender relations order social life and social institutions in fundamental ways.
3. Gender relations are constructs of masculinity and femininity and are not symmetrical but are based on an organizing principle of men’s superiority and social and political–economic dominance over women.
4. Systems of knowledge reflect men’s views of the natural and social world; the production of knowledge is gendered.
5. Women should be at the center of intellectual inquiry, not peripheral, invisible, or appendages to men.<sup>130</sup>

When addressing whether there can be a feminist criminology, Daly and Chesney-Lind maintained that feminist theories and research should be incorporated in any criminologist’s study of crime. Incorporating such perspectives entails more than just a focus on women or sexism. Rather, these approaches provide an opportunity to study unexplored aspects of men’s crime and forms of justice, as well as forms of theory construction and verification. Thus, they argued that the promise of feminist thought has barely been realized.<sup>131</sup>

Almost 20 years after Daly and Chesney-Lind’s article on feminist criminology, Amanda Burgess-Proctor argued that for contemporary third-wave feminist criminologists, it is essential to build on the foundation laid by previous feminist criminologists.<sup>132</sup> Specifically, she maintained that feminist criminology needs to embrace all sources of oppression without prioritizing gender. Thus, feminist criminology should incorporate an intersectional framework, informed by **multiracial feminism**, which includes such defining social characteristics as race, class, gender, sexuality, nationality, and age.<sup>133</sup>

One feminist framework that has been used to explore the experiences of women in the criminal justice system is **pathways research**:

A feminist approach to understanding the etiology of females’ (and sometimes males’) offending is termed by some as “pathways to crime.” . . . [T]his approach attempts to determine life experiences, particularly childhood ones, that place one at risk of offending. The pathways research indicates that traumas such as physical and sexual abuse and child neglect are not only defining features in the lives of many female offenders, but also these traumas are often related to one’s likelihood of committing crimes.<sup>134</sup>



## REFERENCE ARTICLE

### Female Offenders



## AUDIO

### Female Inmates

#### ..... **multiracial feminism:**

an intersectional framework that includes such defining social characteristics as race, class, gender, sexuality, nationality, and age

#### **pathways research:**

typically collects data, usually through interviews, at one point in time that provide retrospective inquiry as to an individual’s life and life experiences



Before and after pictures of a woman who uses methamphetamine. One may question how this woman got to this point in her life—in other words, her pathway.

Whereas life course research collects longitudinal data over the course of an individual's life, pathways research typically collects data, usually through interviews, at one point in time that provides retrospective inquiry as to an individual's life and his or her life experiences.<sup>135</sup> Some feminists have argued that the pathways perspective has provided researchers with a greater understanding of how a woman's offending is influenced by the social conditions of her life as well as by her being a woman in a patriarchal society.<sup>136</sup>

Recently, a growing area of research has been using the pathways framework. Barbara Owen conducted what she termed a “quasi-ethnography” of women incarcerated in the Central California Women's Facility.<sup>137</sup> This methodology included in-depth interviews with these women as well as detailed observations of everyday life. When inquiring about these women's lives prior to prison, Owen identified three key issues that were central pathways to their incarceration—multiplicity of abuse in their pre-prison lives; family and personal relationships, especially those involving male partners and children; and their spiraling marginality and subsequent criminality.<sup>138</sup> A majority of these incarcerated women experienced various forms of physical, sexual, and emotional abuse in their lives. In addition, the abuse of drugs and alcohol was a key factor for many of these women prior to their incarceration. Many also experienced poverty as well as early parenthood. The spiraling marginality shared by many of these women included limited educational and vocational preparation, which resulted in a lack of employment opportunities. Owen concluded her book by noting that “this description of the lives of women in prison then is offered as a starting point for constructive dialogue and public policy concerning the lives and experiences of women on their own terms.”<sup>139</sup>

Other examples of research focuses incorporating a pathways perspective include women incarcerated in an Iranian prison;<sup>140</sup> transferring female juveniles to adult court;<sup>141</sup> drug abuse among women;<sup>142</sup> sexual assault victimization and suicidal behavior;<sup>143</sup> and the development of antisocial behavior.<sup>144</sup>

VIDEO



Meth Effects

## CRITIQUES OF FEMINIST THEORIES

A number of criticisms concerning feminist theories have been raised by feminist scholars. In the 1960s, women of color challenged feminism by arguing that these perspectives essentially focused on the experiences of white middle-class women.<sup>145</sup> After reviewing feminist theory in sociology, Janet Saltzman Chafetz argued that the current topic among feminist scholars is the intersection of race, class, and gender.<sup>146</sup> A number of feminist scholars maintain that examining difference, rather than equality, is a major emphasis of current feminist studies.

While some feminist scholars maintain that this shift in focus has revitalized feminist theory,<sup>147</sup> others assert that it has introduced new conflicts in feminist studies.<sup>148</sup> Maxine Baca Zinn and Bonnie Thornton Dill stress, however, that while there may be problems when focusing on difference,

our perspectives take their bearings from social relations. Race and class difference are crucial, we argue, not as individual characteristics . . . but insofar as they are primary organizing principles of a society which locates and positions groups within that society's opportunity structures.<sup>149</sup>

Some feminist scholars emphasize the importance of examining the interlocking, or intersection, of race, class, and gender.<sup>150</sup> The development of an intersectional perspective on gender and race is rooted in the work of scholars focusing on women of color.<sup>151</sup>

Amanda Burgess-Proctor identified key conceptual factors that distinguish multiracial feminism from other feminist perspectives.<sup>152</sup> First, multiracial feminism claims that gender relations do not exist in a vacuum; rather, men and women are also characterized by their race, class, sexuality, age, physical ability, and other social locations of inequality. Second, multiracial feminism stresses the importance of recognizing the ways intersecting systems of power and privilege interact on all social-structural levels. Third, multiracial feminism is founded on the concept of *relationality*; this “assumes that groups of people are socially situated in relation to other groups of people based on their differences.”<sup>153</sup> Other key conceptual facets to multiracial feminism include appreciating the interaction of social structure and women's agency, implementing various methodological approaches, and an emphasis on understandings founded on the lived experiences of women. This evolving perspective uses various terms such as *multiracial feminism*, *multicultural feminism*, and *U.S. Third World feminism*.<sup>154</sup>

Another issue that has been raised by feminist scholars is that, when conducting research on women, it is essential that one avoid placing these women as *either* offenders *or* victims. This has been referred to as the “blurred boundaries” theory of victimization and criminalization. As Mary Gilfus notes, “criminalization is connected to women's subordinate position in society where victimization by violence coupled with economic marginality related to race, class, and gender all too often blur the boundaries between victims and offenders.”<sup>155</sup> This false categorization of women as *either* offenders *or* victims does not provide an enhanced understanding about women who commit crime.

### LEARNING CHECK 11.4

When one uses an existing theoretical perspective based on males and adds women, this is referred to as “\_\_\_\_\_.” The \_\_\_\_\_ is also referred to as the emancipation hypothesis. The \_\_\_\_\_-\_\_\_\_\_ theory attempts to explain gender differences in delinquency rates by including family dynamics. Some scholars maintain that approaches to assess \_\_\_\_\_ are based on biases established by, and for, individuals of privilege. The \_\_\_\_\_ research approach attempts to determine life experiences, particularly childhood ones, that place one at risk of offending.

Answers located at [www.sagepub.com/schram](http://www.sagepub.com/schram)



## APPLYING THEORY TO CRIME: ROBBERY

Again, referring to the King of Babylon, Hammurabi, and the “Code of Laws,” there are a few references to the crime of robbery:

- If a man has committed highway robbery and has been caught, that man shall be put to death.
- If the highwayman has not been caught, the man that has been robbed shall state on oath what he has lost and the city or district governor in whose territory or district the robbery took place shall restore to him what he lost.<sup>156</sup>

According to the FBI’s Uniform Crime Reports, robbery is defined as “the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.”<sup>157</sup> Below are some key findings on robbery; these are based on the report *Crime in the United States, 2011*:

- An estimated 354,396 robberies occurred nationwide in 2011.
- When comparing the 2010 and 2011 robbery rates, the rate decreased by 4%.
- An estimated \$409 million in losses were attributed to robberies in 2011.
- The average dollar value amount of property stolen per reported robbery was \$1,153. Banks were listed as the highest average dollar loss at \$4,704 per offense.
- Strong-arm tactics were used in 42.3% of the robberies, firearms were used in 41.3%, knives and cutting instruments were used in 7.8%, and other dangerous weapons were used in 8.7% of robberies in 2011.

Table 11.5 is a summary of robbery by type from *Crime in the United States, 2011*.

As noted previously, the National Crime Victimization Survey collects data to provide additional information concerning crime and victims in the United States. In reference to robberies, some key findings, based on 2011 data, are listed below:

- The number of robbery victims decreased by 2% from 2010 (568,510) to 2011 (556,760).
- Among male robbery victims, 53% of offenders were strangers and 34% non-strangers; among female robbery victims, 40% of offenders were strangers and 48% nonstrangers.
- In 2011, 42% reported there was no weapon involved in the robbery, compared with 43% who reported there was a weapon; slightly less than 15% did not know.<sup>158</sup>

To illustrate key aspects of feminist pathways, we apply this perspective to the crime of robbery-theft. Lindsay was a 24-year-old woman incarcerated in a midwestern correctional facility for women. She was sentenced to 15 years for armed robbery. One may ask how Lindsay got to this point in her life. What pathways did she take during her life that resulted in her incarceration? To answer these questions, one could conduct an in-person interview with Lindsay

and attempt to gain a more in-depth understanding of her life prior to being incarcerated.

After listening to Lindsay’s past experiences, one obtains a greater understanding of how key aspects of her life led her down the pathway to incarceration. Lindsay was one of four children. Her father left her mother when she was 2 years old. She had a very unstable family life. When Lindsay was 5 years old, her mother married a man named John. Both her mother and John abused drugs and alcohol. John was physically abusive to Lindsay, her siblings, and her mother. John started sexually abusing Lindsay when she was 12 years old. During this time, Lindsay had a difficult time in school, both academically and socially.

At 15 years of age, Lindsay ran away. She was living on the streets and started abusing drugs, especially crack cocaine. When she was 17 years old, Lindsay met Matt, a 25-year-old involved in various criminal activities, including theft and drug sales. Although the relationship was quite tumultuous, Lindsay and Matt had a child. Eventually, Matt left Lindsay and the child. A year later, Lindsay lost custody of her child due to abuse and neglect. Lindsay continued to abuse drugs. To support her drug habit, Lindsay engaged in various criminal activities, including prostitution, shoplifting, burglary, and robbery.

LOCATION	NUMBER OF OFFENSES (2011)	PERCENT DISTRIBUTION	AVERAGE VALUE
Street/highway	127,403	43.8%	\$785
Commercial house	37,885	13.0%	\$1,783
Gas or service station	7,009	2.4%	\$890
Convenience store	14,863	5.1%	\$667
Residence	49,361	17.0%	\$1,489
Bank	5,777	2.0%	\$4,704
Miscellaneous	48,878	16.8%	\$1,050

Table 11.5 Robbery by Location

Source: Federal Bureau of Investigation. (2012). *Crime in the United States, 2011*. Washington, DC: U.S. Department of Justice, n.p.

## COMPARATIVE CRIMINOLOGY: ROBBERY

### Rates of Robbery Across Different Continents and Regions of the World

Continuing with our comparisons between the United States and foreign nations in terms of various aspects in criminology and criminal justice, in this section, we examine findings from relatively recent data provided from the International Crime Victimization Survey.

As shown in Table 11.6, Latin America and the Caribbean was the world region that reported the highest percentage of citizens who had been victims of robbery, which was 3 times higher than the global average. The second highest was Africa, but this percentage was significantly lower than

that of the leading region. Van Dijk noted that a high number of robberies in Latin America were committed with a firearm. Furthermore, he pointed out Brazil, Mexico, and Argentina as having high rates of armed robberies. He also noted the most common form of robbery in modern times in these Latin American countries, which involves “express robberies,” named after American Express credit cards. These robberies involve a victim being held at gunpoint or knifepoint until he or she withdraws money from the bank, typically from an automatic teller machine (ATM). Such chronic forms of these various types of robbery are likely the reason why Latin America and the Caribbean lead the world in terms of robbery.<sup>159</sup>

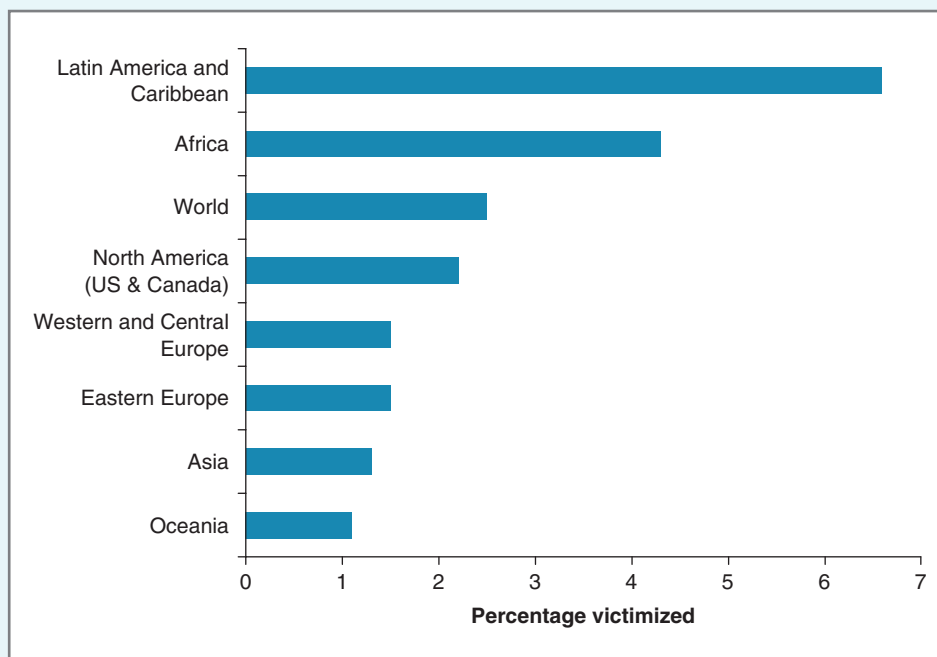


Table 11.6 Percentages of the Public Victimized by Robbery in the Course of 1 Year, by World Region

Source: ICVS, 1996–2005.

Lisa Maher critiqued both traditional and feminist research with respect to the importance of not overemphasizing or ignoring **women's agency**.<sup>160</sup> The more traditional approach often overlooks the social locations of women's marginalization and places too much emphasis on female offenders as “active subjects” who pursue criminal opportunities. This places women with “overendowed” agency. On the other end of the spectrum, more associated with some feminist research, women are denied agency. Thus, “women are portrayed as the passive victims of oppressive social structures, relations, and substances, or some combination thereof.”<sup>161</sup> These women are then situated as submissive objects that are mere instruments for the reproduction of determining social structures.

## POLICIES BASED ON FEMINIST THEORIES OF CRIME

A key aspect to understanding policies based on feminist theories of crime is that some policies are not always directly related to crime. Rather, feminist perspectives also incorporate broader social issues that are connected to criminal behavior.<sup>162</sup> Thus, aspects of policies related to feminist theories of crime are reflected in broader concepts of feminism. For instance, feminist researchers emphasize the importance of *reflexivity*.<sup>163</sup> This is when research empowers women; this form of research takes women's experiences seriously and centers on the idea that **"the personal is the political"**:

Feminist work has demonstrated that even the most apparently private interactions have political consequences and motivations. The inextricable connections between the personal and the political means that what happens to "the individual" is not merely the result of individual processes. As a consequence, it is unsatisfactory to treat individuals as if they were isolated from society—at the very least because this cannot give an accurate picture of people and their lives.<sup>164</sup>

### women's agency:

the more traditional approach overlooks social locations of women's marginalization and places too much emphasis on female offenders as "active subjects" who pursue criminal opportunities. On the other end, women are denied agency and situated as mere instruments for the reproduction of determining social structures

### "The personal is the political":

refers to the notion that the "private sphere" is as structured by power relations involving gender, sexuality, race, class, and age as the "public sphere"

**praxis:** refers not just to consciousness raising but also to the establishment of alternative arrangements that will provide models for change, which then change consciousness

This phrase "The personal is the political" refers to the notion that the "private sphere" (e.g., sexuality and domestic life) is as structured by power relations involving gender, sexuality, race, class, and age as the "public sphere" (e.g., waged work outside the home, party politics, and state institutions).<sup>165</sup>

Another aspect related to feminism is **praxis**. According to Donovan, praxis does not refer just to consciousness raising. Rather, praxis also refers to "the development of alternative arrangements that will themselves provide models for change and will in the process change consciousness."<sup>166</sup> Praxis also implies building alternative institutions, such as the establishment of rape crisis centers and shelters, as well as changes in personal relationships. Generally, praxis is when theory translates into action. One of the most essential opportunities for praxis centers on the pursuit of social justice.<sup>167</sup>

Influenced by the women's movement (i.e., the second wave of feminism), our understanding and the legal response to rape have undergone substantial changes.<sup>168</sup> For instance, the Schwendingers theorized how rape myths have pervaded the legal sphere of society, as exemplified by the belief that if a rape victim did not "fight back" or resist, as well as demonstrate physical evidence of such a confrontation, then she must have initially given her consent and afterward "changed her mind."<sup>169</sup> In the past, this myth has been significant in laws that required a demonstration of resistance. However, the Schwendingers provided the following analogy to elucidate the misconceptions associated with this myth:

Businessmen may forcibly resist theft of their property. But no law *demand*s this kind of personal resistance as a condition for the lawful protection of his property rights. Women's rights, on the other hand, seem to be another matter [italics in original].<sup>170</sup>

Legislative reforms were enacted in an effort to modify state rape statutes. Searles and Berger asserted that the major goals of the legislative reforms included (1) increasing the reporting of rape and enhancing the prosecution and conviction in rape cases, (2) improving the treatment of rape victims involved in the criminal justice process, (3) achieving comparability between the legal treatment of rape and other violent offenses, (4) prohibiting a broader range of coercive sexual conduct, and (5) expanding the range of persons protected by the law.<sup>171</sup> Four major types of legislative reforms were identified: (1) redefinition of the offense, (2) evidentiary reforms, (3) statutory offenses, and (4) penal structure.<sup>172</sup>

THE VALENTINE FOUNDATION OUTLINED 14 FACTORS THAT SHOULD BE INCORPORATED IN A GENDER-SPECIFIC PROGRAM FOR GIRLS:	
1.	Ask girls who they are, what their lives are like, and what they need.
2.	Allow girls to speak up and actively participate in the services they receive.
3.	Assist girls with their family relationships and help them deal with family issues.
4.	Assist girls in becoming grounded in some form of spirituality.
5.	Allow staff more time and opportunity for building trusting relationships with girls.
6.	Allow girls the safety and comfort of same-gender environments.
7.	Provide girls with mentors who reflect girls' lives and who model survival, growth, and change.
8.	Assist girls with child care, transportation, and safe housing issues.
9.	Maintain a diverse staff who reflect the girls served.
10.	Weave a multicultural perspective through programming.
11.	Teach girls strategies to overcome domestic violence, physical and sexual abuse, and substance abuse.
12.	Understand that relationships are central to girls' lives; help girls maintain important connections without sacrificing themselves to their relationships.
13.	Connect girls with at least one capable and nonexploitive adult for an ongoing supportive relationship.
14.	Promote academic achievement and economic self-sufficiency for girls.

Table 11.7 Factors Associated With Gender-Specific Programs for Girls

Source: Valentine Foundation and Women's Way. (1990). *A conversation about girls*. Bryn Mawr, PA: Valentine Foundation.

Another example of how feminist criminologists have informed policies is in the area of **gender-specific programming**. The Office of Juvenile Justice and Delinquency Prevention established a funding opportunity to enhance programs specifically targeted to juvenile girls.<sup>173</sup> Such programming gives females an increased sense of community. This sense of community has been associated with juveniles developing and integrating a healthy identity.<sup>174</sup> Table 11.7 outlines factors associated with gender-specific programs for girls.

There have been efforts to incorporate these key factors of gender-specific services for female juvenile offenders. For instance, Bond-Maupin and her colleagues argued that intake officials recognized an appreciation of how gender, class, and race influence the lives of female juveniles.<sup>175</sup> Other studies have also recommended that agencies providing services to female juveniles incorporate gender-specific or gender-responsive programs.<sup>176</sup> Such programming has also been recommended for adult female offenders with substance abuse problems,<sup>177</sup> as well as for adult female prisoners.<sup>178</sup>

 JOURNAL  
ARTICLE LINK

Programs for Girls

.....  
**gender-specific programming:** programs targeted to juvenile girls; gives females an increased sense of community that has been associated with developing and integrating a health identity

## CONCLUSION

In an effort to provide a context for feminist theories of crime, this chapter started with a brief history of feminism in the United States. Many describe this history in terms of waves (i.e., first, second, and third waves). As noted at the beginning of this chapter, it is essential for readers to understand that there is no *one* feminist perspective. Thus, this section presented various feminist perspectives, such as liberal feminism, radical feminism, Marxist and socialist feminism, and post-modern feminism.

The next portion of this chapter presented traditional theories of female crime. This brief overview gave readers an enhanced appreciation of the development of feminist criminology. These traditional theories were developed by such scholars as Cesare Lombroso, W. I. Thomas, Sigmund Freud, and Otto Pollak. The next section provided feminist critiques of previous research that focused on women and crime. Such critiques include using an “add-women-and-stir” approach and implementing a sex roles perspective.

Subsequently, we discussed various aspects pertaining to feminist perspectives on understanding crime and criminal behavior. This discussion included problems feminist scholars have raised pertaining to traditional research methods such as objectivity and subjectivity, as well as qualitative “versus” quantitative analyses. This section also presents a brief overview of multiracial feminism and how it differs from

previous feminist perspectives. We also illustrate one example of research within a feminist perspective—feminist pathways. Key critiques of feminist theories were also raised in this section. These criticisms include earlier feminist theories focusing on the experiences of white, middle-class women; placing women as *either* offenders *or* victims; and ignoring women’s agency.

We concluded this chapter with a discussion of policies based on feminist theories of crime. Two related concepts pertaining to any feminist research presented in this section were “the personal is the political” and praxis. We reviewed such policies as early rape reform efforts, as well as the current trend of providing gender-specific programs for female offenders.

At the beginning of this chapter, we presented the case study of Elizabeth Escalona, who pled guilty to injury to a child. We asked if some individuals would perceive such offenses committed by a mother *differently* than they would similar offenses committed by a father. Some may answer “yes” to this question; others may contend that this is due to stereotypes such as the perception that women have a biologically determined sense of maternal and nurturing capabilities. Also note that the case study discussion included references to Escalona’s prior life experiences leading up to her abusing her daughter—in other words, pathways to crime.

## SUMMARY OF THEORIES IN CHAPTER 11

THEORY	CONCEPTS	PROponents	KEY PROPOSITIONS
Traditional theories of female crime	Dichotomize women into “either/or” roles in terms of sexuality; femininity; the cult of true womanhood; emphasize biological and psychological factors	Various (e.g., Cesare Lombroso, W. I. Thomas, Sigmund Freud, Otto Pollak)	Emphasized physiological and psychological explanations to understand female criminality, rather than social factors; particular emphasis on stereotypical assumptions of women and sexuality.
Liberation thesis	Increased opportunities for women to participate in the labor force; changing self-concept and identity of women; liberation movement	Freda Adler Rita Simon	As opportunities for women in the legal sphere are enhanced, so are opportunities for women in the illegal sphere; increases in female crime are due to women becoming actively competitive with men.
Power–control theory	Family dynamics; patriarchal families; egalitarian families; social class	John Hagan et al.	Youths from patriarchal families have greater gender differences in delinquency rates compared with youths from egalitarian families; individuals experience power relationships in the broader social context, especially those from different social classes.
Feminist criminology	Gender is not a natural fact but a complex social, historical, and cultural product; gender relations order social life; gender relations are constructs of masculinity and femininity based on organizing principle of men’s superiority; systems of knowledge reflect men’s view of the natural and social world; women should be at the center of intellectual inquiry	Various	Continue to search for the scientific basis of theories of men’s and women’s criminal behavior; reexamine gender and racial/ethnic biases in the social sciences; develop a new definition of crime; recognize the ways interesting systems of power and privilege interact on all social–structural levels.

## KEY TERMS

add women and stir	Marxist feminism	power–control theory	Sigmund Freud
Cesare Lombroso	multiracial feminism	praxis	socialist feminism
chivalry	objectivity	qualitative	“The personal is the political”
first wave of feminism	Otto Pollak	quantitative	third wave of feminism
gender	paternalism	radical feminism	traditional or conservative perspective
gender-specific programming	pathways research	second wave of feminism	W. I. Thomas
liberal feminism	patriarchy	sex	women’s agency
liberation thesis	postmodern feminism	sex roles	

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## DISCUSSION QUESTIONS

1. How would you distinguish the first, second, and third waves of feminism?
2. What are the key features of the various feminist perspectives?
3. How did traditional theories of crime perceive female offenders?
4. What are some of the problems associated with traditional research methods when studying gender?
5. What are some of the key concepts associated with feminist thought?
6. What is feminist pathways research?
7. How does multicultural feminism differ from previous feminist perspectives?
8. What are some critiques of feminist criminological theories?
9. What is meant by “the personal is the political”?
10. What is praxis?
11. What are some of the major rape reforms?
12. What are the key factors of gender-specific programming?

## WEB RESOURCES

**National Organization for Women (NOW)**  
<http://now.org/>

**American Society of Criminology Division on Women and Crime**  
<http://ascdwc.com/>