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Critical Criminology

MICHAEL A. LONG

Critical criminology is a diverse area of criminological theory and research. The term *critical criminology* began to appear only in the 1970s; however, scholarship in this tradition has existed for over a century. Broadly speaking, critical criminology is research on crime, law, and deviance that challenges traditional criminology. The thread that binds critical approaches together is the belief that inequalities influence crime. Class inequality and its repercussions dominated much of the early critical criminological thought. While class inequalities are still viewed as important by many critical scholars, inequalities based on race and gender are now also garnering attention. The majority of contemporary critical criminology scholars would agree that all three forms of inequality constitute important areas of study.

The critical criminology lineage can be traced back to Karl Marx. Marx himself did not write much about crime and the criminal justice system, but his ideas influenced a number of early criminologists. Willem Bongers's *Criminality and Economic Conditions* (1916) argued that people in the lower classes were criminalized and punished much more than those in the upper class. Following Bongers, Rusche and Kirchheimer (1939) suggested that the way societies punish people is directly related to the mode of production. A smattering of related works on class, power, and society were conducted in criminology and sociology during this period, most notably Mills's (1956) work on *The Power Elite* and Sutherland's (1940, 1945) introduction of the concept of white-collar crime. While these scholars advanced compelling arguments, Marxist and other critically focused criminologists did not have much influence within the larger discipline of criminology until the late 1960s and early 1970s.

Reflecting the larger social and political climate of the United States during the late 1960s, a handful of criminologists reintroduced Marx

and critical thought to criminology. During this time numerous foundational critical works were published, including William Chambliss's "A Sociological Analysis of the Law of Vagrancy" (published in 1964), Anthony Platt's *The Child Savers* (published in 1969), Herman and Julia Schwendinger's "Defenders of Order or Guardians of Human Rights?" (published in 1970), Richard Quinney's (1970) *The Social Reality of Crime*, and Taylor, Walton, and Young's *The New Criminology* (published in 1973). These works, in addition to others not mentioned here, solidified a new school of thought often referred to as *radical criminology*, which focused on class and power relations and demonstrated that areas of scholarship that had until then been neglected by criminologists should be within the purview of the discipline.

While early Marxist/radical criminology had a focus on material-economic factors, contemporary critical criminology has branched out in a number of different directions. Some approaches retain the radical political-economic focus (e.g., Lynch, Michalowski, & Groves, 2000), while other strands focus on additional inequalities or respond to perceived inadequacies in Marxist criminology. *Left realism*, for example, arose primarily in the United Kingdom as a response to Marxist criminology's neglect of street crime. At the time, Marxists were predominately interested in how the criminal justice system was structured to criminalize actions that were seen as harmful to capitalist production. Therefore Marxists focused on revealing actions of capitalists (the bourgeoisie) that, although not considered crimes by the criminal justice system, harmed and sometimes killed many people (such actions are often referred to as *crimes of the powerful*). This focus, while laudable, did not say much about inner-city crime and about crimes that were committed by lower-class people against other lower-class people. Left realist scholarship noted that this omission was problematic because the urban poor were most often victimized by others in their neighborhood. Central to the Left realist perspective is the notion of relative deprivation – that is, the idea that people perceive

themselves as poor by comparison to those around them. Relative deprivation is pervasive in capitalist societies. Those who experience relative deprivation are more likely to commit crimes, and the criminal justice system needs to adapt itself to dealing with this by-product of capitalism.

Like other disciplines, criminology suffered from the long-term neglect of the feminine perspective. For a long time, scholarship on crime and on the criminal justice system ignored the unique experiences of women. Theories were created to understand the deviant and delinquent behavior of males, but they gave no thought to females. *Feminist criminology* arose to remedy this situation. There are numerous strands of feminism that have influenced criminology. The earliest feminist criminology writings, for instance Adler's *Sisters in Crime* (published in 1975) and Simon's *Women and Crime* (of the same year), would be classified as liberal feminist. Liberal feminist-based criminology used traditional criminological frameworks to bring into attention women's issues, rights, and place in society. While important, the work of liberal feminists is not considered by most criminologists to be "critical." Rather, more recent developments in feminist thought – such as those influenced by Marxism and radical ideas – fit under the critical criminology umbrella. These strands of feminist criminology focus on how the historical domination of women by men influences society through socialization into specific gender roles and, in the case of Marxist feminist literature, on how capitalism has contributed to the domination of women. In addition to "bringing in the female voice" to studies of crime and justice, feminist criminologists started examining topics that traditional criminology ignored or marginalized – such as the social impact of pornography, intimate partner violence, and other forms of female victimization.

If feminist criminology arose as a response from critical scholars to the neglect of women, *peacemaking criminology* was developed in reaction to the "war on crime" waged primarily by US presidents Ronald Reagan and George H. W. Bush (Pepinsky & Quinney, 1991). The main focus of peacemaking criminologists is the criminal justice system and how it systematically creates two classes of people: criminals and noncriminals. Rather than expanding social control through

increased incarceration and punitive action, social policy should play a greater role in helping to reduce crime "peacefully." Although peacemaking criminologists believe that the criminal justice system treats people too harshly, they still think that offenders need to understand that what they did was wrong and must take responsibility for it. One approach that peacemaking criminologists support is *restorative justice*. Restorative justice seeks to resolve disputes between offenders and victims and to make offenders understand the harm they caused the victim. This is often done through informal meetings (sometime referred to as "circles") between a mediator, the offender(s), and the victim(s). This process demonstrates to the offender the damage s/he has done; at the same time it helps provide closure to the victims. This form of "punishment" is less formal than incarceration and the hope is that it drastically reduces the negative effects that being incarcerated often has on individuals.

Along these same lines, *abolitionist criminology* – or the prison abolition movement – suggests that penal institutions should be done away with and replaced by more progressive means of rehabilitation and punishment, such as work within the community, or restitution. Abolitionist criminologists argue that the criminal justice system as it is currently constructed is a social problem itself. Penal institutions do not help reduce crime, and in many cases the brutality that occurs within them can encourage crime. Therefore creating a criminal justice system that is more reflexive and less punitive will reduce re-offending better than traditional incarceration-based strategies.

Postmodernism, much like feminism, is an intellectual tradition that has had an impact on many disciplines. In general postmodernism is concerned with how language masks power relations. It also argues for extreme subjectivity, which suggests that no one perspective is in any way better than another. For example, a result of research conducted by gathering and analyzing data according to the rules of scientific method is no more correct or valid than the everyday observations of people not trained in any scientific method. One major ramification of this approach is that science cannot be used to help with crafting effective social policy (Friedrichs, 2009), which suggests that science cannot be used to help understand crime

(DeKeseredy & Schwartz, 1996). While a good deal of postmodern scholarship occurs in the humanities, a *postmodern criminology* began to take shape in the early 1990s. Using deconstruction, a technique for critically analyzing language, postmodern criminologists wonder why some acts are defined as crimes while other are not, and why some people are considered criminals while others are not. A thread of critical criminology that draws heavily on postmodernism and postmodern criminology is *constitutive criminology*. A major focus of constitutive criminology is the relationship between individuals and society and how crime is co-created by offenders, victims, the criminal justice system, and criminologists. While most criminological theory focuses on what causes crime, constitutive criminology examines its production.

While constitutive criminology examines the production of crime, *newsmaking criminology* shifts the focus to what and how crime is reported. Newsmaking criminologists note that, since the media (e.g., television, newspapers, the internet, etc.) shape public thought and discourse on crime, critical scholars should make concerted efforts to get their views heard by society. Most members of society receive their information about crime and the criminal justice system from the media, so it is important to get alternative – and preferably progressive – interpretations of crime debates from the media and to make sure that adequate focus is given to topics that usually do not receive the same amount of coverage as street crimes (e.g., the crimes of the powerful).

Cultural criminology also calls attention to the relationship between the media and crime. Building on cultural studies and postmodernism, cultural criminologists unpack how the media and popular culture shape opinions of crime (Ferrell, Hayward, & Young, 2008; Presdee, 2000). Scholars in this tradition often employ content analysis to critically analyze movies, television shows, books, and other forms of media in order to demonstrate how popular culture can skew the public's view of the amount and seriousness of crime. Cohen, in his famous 1980 book *Folk Devils and Moral Panics*, created the notion of the moral panic. A moral panic occurs when the media, the politicians, and the agents of the criminal justice system (among others) come together to suggest that a certain person or group

of people is a threat to society. In some cases these threats may be justified; however, in other cases the threats may be overblown. Cultural criminologists critically examine the media and popular culture to show society when criminal threats are real and when a moral panic has been created. The media create a version of reality that is often heavily influenced by politics; cultural criminologists analyze this reality and demonstrate when it is not true.

Traditional criminology has long had a bias for studying street crime that occurs in urban areas. For a time, critical criminology was guilty of this too. However, recently a group of critical criminologists have begun to create a *critical rural criminology* (Donnermeyer & DeKeseredy, 2008). Critical rural criminology scholars point out that the focal areas of critical criminology, such as class, race, and gender inequalities, also exist in rural society. However, as we have seen, in traditional criminology theories of crime that had been developed to study the behavior of males were applied to women without adjustment to the latter's unique issues and problems; and much the same thing happened with rural crime. The precious little early rural criminological research that existed was conducted either by rural sociologists or by traditional criminologists who employed theories constructed to study urban street crime (Donnermeyer & DeKeseredy, 2008). Contemporary critical rural criminology focuses on issues such as the extreme patriarchal split common in rural household that leads to intimate partner violence and other forms of abuse, drug use, and property crime (this last type of crime being also due to high poverty rates, among other causes). Examining these issues through a critical lens that focuses both on inequalities and on the unique challenges of rural people and communities is the task that critical rural criminologists have taken up.

It should be clear that contemporary critical criminologists come from many backgrounds and schools of thought. This is nowhere more apparent than in the emerging subfield of *convict criminology* (Richards & Ross, 2001). For the vast majority of criminologists, the study of crime and of the criminal justice system does not include extended experience of the system. However, the majority of convict criminologists are scholars who, earlier in their lives, were incarcerated (Ross

& Richards, 2003). Convict criminologists have much to offer to any scholarship on prisons and prison life. With their unique perspectives and experiences of the criminal justice system, convict criminologists can help explain what happens to inmates while incarcerated, why many inmates re-offend when they get out, how prison life changes people, or what impact incarceration has on people's families – among other issues. Former inmates are also more likely to be granted interviews with current inmates. Although convict criminology is not as well developed as some of the other strands of critical criminology, it has the potential to influence the direction and methods of future studies of the criminal justice system.

One area where critical criminologists have had a large impact on the discipline of criminology is its scope – or the nature of acts that are considered germane to criminology. While traditional criminology focuses almost exclusively on acts that are violations of the criminal law, critical criminologists have broadened the area of study from illegal acts to the wider category of acts that create or inflict harm on others (Hillyard & Tombs, 2007; Hillyard, Pantazis, Gordon, & Tombs, 2004). Moving from the study of crime to the study of harm is an important decision. Crime, as defined by the criminal law, is not an objective measure of harm and victimization. Laws are not created in a vacuum; rather they are the result of social and political decisions. Therefore those who have the power to make laws or influence the process of lawmaking have opportunities to criminalize acts whose condemnation helps them retain their powerful positions while they maintain as legal acts that benefit them but cause harm to others. Critical criminologists have argued, therefore, that crime is a social and political construction (Quinney, 1970). Much of what critical criminologists study examines acts and situations where harm was committed, regardless of whether the act is legal or illegal. Critical criminology scholars – who specialize in crimes/harms committed by corporations or governments, against the environment, or against nonhuman animals – often employ the harm perspective because the acts they study often do not strictly violate criminal law.

A theme that is pervasive throughout all forms of critical criminology is the role of power in society and in the criminal justice system and

how power influences which acts and which individuals come to be labeled “crimes” and “criminals,” respectively (Becker, 1973; Lemert, 1951). This role of power is quite clear in studies of *white-collar* and *corporate crime*. White-collar crime occurs when individuals who work in business commit crimes in the course of their job (e.g., fraud, embezzlement, insider trading) (Braithwaite, 1985; Sutherland, 1940, 1945). Corporate crimes are criminal acts committed by a business/corporation or by people on behalf of that corporation (e.g., in the United States, the savings and loan crisis in the 1980s or the Enron scandal in 2001) (Clinard & Yeager, 1980; Slapper & Tombs, 1999). Studies of white-collar crime and corporate crime demonstrate that a great deal of crime occurs in corporate boardrooms – and not just on the street, as much of traditional criminology suggests. In many cases the scope of the damage done and the number of people victimized by white-collar and corporate crime are far greater than in street crime.

The crimes of the powerful are not committed only by those who work in the private sector. Governments can also be the perpetrators of criminal activity. Critical criminologists, who work in the field of *state crime*, study how and why governments or government actors commit crimes (Green & Ward, 2000; Ross, 2000). Just because the state is charged with creating and upholding laws, it does not follow that the state is above the law and may break it at will. For example, the act of invading a country, as Iraq did to Kuwait in 1991 or as the United States did to Iraq in 2003, can and has been framed as a state crime (Kramer & Michalowski, 2005). Moreover, failing to act can also be viewed as a state crime, for example not intervening to stop genocide (Kauzlarich, Mullins, & Matthews, 2003). Often state crimes not only involve governments, but occur because of relationships between state officials and corporations. While Mills (1956) was the first one to write about these connections, Kramer, Michalowski, and Kauzlarich (2002) constructed the idea of *state-corporate crime* to reflect how state and corporate actors often conspire together in criminal acts. A common situation in which state-corporate crimes occur is that of corporations desiring preferential treatment and trying to curry favor with politicians by making large contributions to their political

campaigns (e.g., Hogan, Long, Stretesky, & Lynch, 2006) or by offering them lavish gifts in return for support or for legislation that helps or hinders one particular corporation. It is often difficult to prove that state-corporate crimes have occurred; however, critical criminological research attempts to do so.

As noted, critical criminologists have worked to expand the definition of crime so as to cover other harms that are not recognized as illegal by criminal laws. One area where this is apparent is the examination of nonhuman victims. *Green criminology* is a rising subfield of criminology that studies crimes against the natural environment. The concept was proposed by Lynch (1990). Green criminologists have argued that the discipline of criminology needs to focus on how the environment is harmed through human activity (Lynch & Stretesky, 2003; South, 1998). They study the impact of pollution, natural resource extraction, wildlife trafficking, climate change, and environmental justice among other harms done to the environment. Green criminology has also opened up a space within the discipline for scholars to study crime against nonhuman animals. Although still in its early stages of development, green criminology has begun to look for a theoretical rationale for individuals', corporations', and states' engagement in environmental crime. One emerging explanation is rooted in political economy, namely in the relationship between capitalism and the environment (e.g., Stretesky, Long, & Lynch, 2013). The system of capitalism is based on continuous economic growth; economic growth necessitates withdrawing natural resources from and adding pollution to the environment. This process results in more and larger-scale harms to the natural environment because continuous economic growth requires ever-increasing withdrawals and additions. This theoretical explanation also demonstrates how a new area of critical criminology – green criminology – builds on the early traditions of critical criminology – that is, on Marxist/radical criminology. While some of the topics and approaches may have changed, the core mission of critical criminology remains intact: criminologists focus on unequal power relations and marginalized victims and widen the definition of crime so as to include harms not covered by the legal definition of crime.

Just like most other “critical” approaches to disciplines, for most of its existence critical criminology has been on the outside, looking in. This is not a bad thing. Critical examination of phenomena is crucial in order for disciplines to move forward, reflect upon themselves, question long-held assumptions and perceived truths, and incorporate marginalized or understudied groups and perspectives. The diverse approaches of critical criminology do all of these things. It is clear that critical criminology has grown tremendously from its early Marxist roots, but all the approaches it has developed still maintain the critical/radical focus on inequality and power. The institutionalization and organization of critical criminologists has also increased since the mid 1910s, when Bonger was writing about inequities in crime and punishment.

Radical criminology had its first stronghold in the School of Criminology at the University of California Berkeley; in the 1960s, the school housed numerous radical scholars and published the radical journal *Issues in Criminology* – now *Social Justice*. Since then, the number of critical criminologists and their influence on criminology has continued to grow. In the late 1980s the Division of Critical Criminology (DoC) became an official division of the American Society of Criminology (ASC); now it is one of the biggest divisions in the ASC. The ASC DoC has its own journal, *Critical Criminology*; a newsletter, *The Critical Criminologist*, which is in its twenty-second year; and a website, critcrim.org, where critical criminologists exchange ideas and content. The major US criminal justice society, the Academy of Criminal Justice Sciences (ACJS), also has a section on critical criminal justice.

Since 1992 the ASC DoC has given out a lifetime achievement award for critical criminology. A quick look at the background of recent winners reflects the breadth of the contemporary discipline. In 2010 the award was won by Hal Pepinsky, a pioneer of peacemaking criminology. Mike Lynch, a radical criminologist and the founder of green criminology, won the award in 2011. Victor Kappeler, a policing and social construction of crime scholar, won it in 2012. In 2013 the award went jointly to Nigel South, an authority on drugs markets and a pioneer of green criminology, and to Piers Beirne, who (along with his other accomplishments) introduced

criminology to the study of nonhuman animal victims of crime.

Critical criminology scholarship is also finding an increasing number of outlets. In addition to *Critical Criminology*, the journal *Crime, Law and Social Change* is dedicated to publishing theoretical and empirical articles that are based on critical perspectives. Furthermore, top journals in the field of traditional criminology – such as *Criminology*, *Crime and Delinquency*, or the *British Journal of Criminology* – are now publishing the work of critical criminologists more frequently than in the past. Numerous book series exist that are dedicated to critical criminological topics – for example Routledge’s *New Directions in Critical Criminology* series, edited by Walter DeKeseredy. This series contains books on drug policy (Brownstein, 2013), green criminology (Brisman & South, 2014; Stretesky, Long, & Lynch, 2013), rural criminology (Donnermeyer & DeKeseredy, 2013), feminism (Carrington, 2014), and the crimes of the powerful (Kauzlarich, 2013) – among other topics.

An increasing number of more focused critical criminological groups are now available for students and scholars interested in these areas to join in order to foster collaboration and create networks of likeminded researchers. For example, the well-established White Collar Crime Research Consortium (WCCRC) connects researchers and practitioners who have interests in white-collar and corporate crime, while newer groups – like the International Green Criminology Working Group (IGCWG) founded in 2009, which connects green criminologists from all around the world – are rapidly growing in size. Topical research groups and organizations like these two continue the institutionalization of critical criminology.

Despite its rather small and humble beginnings, critical criminology has emerged as a major subdiscipline in the field of criminology. The perspectives that fall under the concept of “critical criminology” are diverse in breadth and range, but they all share the goal of unpacking and analyzing how inequality and power relations structure crime, harm, and the criminal justice system.

SEE ALSO: Cultural Criminology; Feminist Theory; Race and Crime; Social Class and Crime; Social Justice; White-Collar Crime.

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