Chapter Outlines

# Chapter 12: Feminist Theories of Crime

**Learning Objectives**

* 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
* Identify the main tenets of the Liberation Thesis
* Discuss how Power-Control Theory attempts to explain gender differences in delinquency rates
* Describe feminist pathways research
* Evaluate the key critiques of feminist criminological theories
* Describe some of the key policies based on Feminist Theories of Crime

**Summary**

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. In 1920, the 19th Amendment to the Constitution was passed giving women the right to vote. With the passage of this Amendment, many of the suffragists believed that women had indeed become men’s equal. The second wave of feminism developed in the 1960s when other marginalized groups were also challenging the status quo. Feminists of this wave argued that in order to be fully liberated, women need to have equal access to economic opportunities and sexual freedoms as well as civil liberties. 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. The one major theme of third wave feminism is their willingness to accommodate difference, diversity, and change.

There are various feminist perspectives. The first perspective discusses the traditional or conservative perspective. Daly and Chesney-Lind highlighted key features of this perspective. They maintained the causes of gender inequality are due to biological sex differences. Additionally, the identified the process of how gender is formed. This perspective does not offer any strategies for social change. Liberal feminism (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 have the same rights and treatment as men. 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. There are two types of liberal feminists: classical and welfare. Classical liberal feminists support limited government and a free market as well as political and legal rights. Welfare liberal feminists favor government involvement in providing citizens, particularly underprivileged individuals, with housing, education, health care, and social security. Radical feminism evolved from the women’s liberation movement of the 1960s. This perspective emphasizes the importance of personal feelings, experiences, and relationships. The cause of gender inequality is based on the needs or desires of men to control women’s sexuality and reproductive potential. Tong identified two types of radical feminism: libertarian and cultural. Radical-libertarian feminists assert that an exclusively feminine gender identity will most often limit a woman’s development as a full human person. Radical-cultural feminists argue that women should be strictly female/feminine. Marxist feminism places gender in the context of production methods. The causes of gender inequality are due to hierarchical relations of control with the increase of private property and ownership among men. Socialist feminism attempts to synthesize radical and Marxist feminism. Social feminists focus on gender, class, and racial relations of domination. 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, the diversity, and the multiplicity of women as distinct from men. Additional feminist perspectives include ecofeminism and global and postcolonial feminism. Ecofeminists perceive domination—of women, minority groups, animals, and the earth—as essential problems rather than patriarchy. Global and postcolonial feminism is an international women’s movement and is founded in the commonalities of women’s lives such as low economic status. This perspective critically explores the impact of development, patriarchal religions, international traffic in women, and the Westernization of the Third World.

Traditional theories of female crime dichotomized women into “either-or” roles in terms of sexuality. These theories emphasized physiological and psychological explanations to understand female criminality rather than social factors; particular emphasis was placed on stereotypical assumptions of women and sexuality. The primary proponents were Caesar Lombroso, W.I. Thomas, Sigmund Freud, and Otto Pollak.

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 the 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. 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. 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. In her 1975 book¸ *Women and Crime*, Rita Simon proposed a similar argument, but suggested that only property crime rates among women would increase due to the women’s liberation movement. John Hagan and his colleagues developed the Power-Control Theory incorporating a conflict-oriented theory with social control theory. The power-control theory attempted to explain gender differences in delinquency rates by including family dynamics. Specifically, Hagan argued youths from families characterized as patriarchal revealed greater gender differences in delinquency rates compared to youths from more egalitarian homes.

Feminist criminology evolved, primarily from liberal feminists, with the realization and objection that gender was essentially ignored and excluded from criminological theory. Klein maintained that three major challenges need to be addressed by feminist criminologists. These include the following: to continue to search for the scientific basis of theories of men’s and women’s criminal behavior; to reexamine gender and racial/ethnic biases in the social sciences; and to develop a new definition of crime. Daly and Chesney-Lind maintained that feminist theories and research should be incorporated in any criminologist’s study of crime. Burgess-Proctor argued that for contemporary third-wave feminist criminologists, it is essential to build on the foundation laid by previous feminist criminologist. She maintained that 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. One feminist framework that has been used to explore the experiences of women in the criminal justice system is pathways research. This approach attempts to determine life experiences, particularly childhood ones, that place one at risk of offending.

A number of criticisms concerning feminist theories have been raised by feminist scholars. One such issue that has been raised by feminist scholars is that when conducting research on women, it is essential that one avoids placing these women as either offenders or victims. This has been referred to as the “blurred boundaries” theory of victimization and criminalization. Maher critiqued both traditional and feminist research with respect to the importance of not overemphasizing or ignoring women’s agency. 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. On the other end of the spectrum, more associated with some feminist research, women are denied agency.

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. Thus, aspects to policies related to feminist theories of crime are reflected in broader concepts of feminism. For instance, feminist researchers emphasize the importance of reflexivity. This is when research is woman-empowering; this form of research takes women’s experiences seriously as well as centers on the idea that “the personal is the political.” This term, “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.” Another related aspect to feminism is praxis. According to Donovan, praxis does not refer just to consciousness-raising. Rather, praxis also refers to “the development of alternative arrangement that will themselves provide models for change and will in the process change consciousness.” 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 with other violent offenses; 4) prohibiting a broader range of coercive sexual conduct; and 5) expanding the range of persons protected by the law. Four major types of legislative reforms were identified: 1) redefinition of the offense; 2) evidentiary reforms 3) statutory offenses; and 4) penal structure. Another example of how feminist criminologists have informed policies is in the area of “gender-responsive” programming. The Office of Juvenile Justice and Delinquency Prevention established a funding opportunity to enhance programs specifically targeted for juvenile girls.

**Chapter Outline**

* **A Brief History of Feminism in the United States**
  + Feminism is a belief that women and men are inherently of equal worth.
  + Most scholars contend that feminism(s) has evolved in three major waves.
    - The **first wave of feminism** started in the mid-1800s when women demanded the right to vote.
      * In 1848, approximately 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 twelve resolutions.
      * The *Declaration of Sentiments* stressed the need for reforms in marriage, divorce, property, and child custody laws.
      * In 1920, the Nineteenth Amendment to the Constitution was passed which gave the vote for women.
      * With the passage of the Nineteenth Amendment, many of the suffragists believed that women had indeed become men’s equal.
    - 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).
      * Feminists of this wave argued that in order 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.
        + The liberal political perspective was influenced by such factors as 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.
      * Many liberal feminists were joining emerging women’s *rights* groups such as the National Organization for Women (NOW), the National Women’s Political Caucus (NWPC), and the Women’s Equity Action League (WEAL).
        + 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 and women as offenders as well as 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.
      * The one major theme of third wave feminism is their willingness to accommodate difference, diversity, and change.
      * 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**
  + **Sex**
    - Sexdifferences typically refer to biological variations such as reproductive organs and hormones.
  + **Gender**
    - Gender differences usually refer to social definitions of what is meant to be a “woman” or a “man.”
  + **Chivalry**
    - Chivalry pertains to behaviors and attitudes toward certain individuals as if they are on a pedestal.
    - Engaging in a chivalrous relationship usually entails a bartering system in which men hold a more powerful status than women.
  + **Paternalism**
    - 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.
  + **Patriarchy**
    - Patriarchyrefers to the subordinate role of women and male dominance.
    - Patriarchy is a social, legal, and political climate that is based on male dominance and hierarchy.
* **Feminist Perspectives on Gender**
  + **Traditional or Conservative Perspective**
    - Daly and Chesney-Lind highlighted key features of the traditional or conservative perspective.
      * 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).
      * They identified the process of how gender is formed.
    - The conservative perspective stresses that social behavior is based on these biological sex differences.
    - The conservative perspective does not offer any strategies for social change since men’s and women’s behaviors reflect evolutionary adaptations of sex differences.
  + **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 have the same rights and treatment as men.
    - 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.
    - Strategies for social change are to free women from oppressive gender roles.
    - There are generally two types of liberal feminists:
      * Classical
        + Supports limited government and a free market as well as political and legal rights.
        + Central facets to this approach are freedom of expression, religion, and conscience.
      * Welfare
        + Favor government involvement in providing citizens, particularly underprivileged individuals, with housing, education, health care, and social security.
        + Also, maintain that the market should be limited through significant taxes and restricting profits.
    - A major criticism of the liberal feminist perspective is that it primarily focuses “on the interests of white, middle-class, heterosexual women.”
  + **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.
    - The cause of gender inequality is based on the needs or desires of men to control women’s sexuality and reproductive potential.
    - Further, the process of gender formation is founded on the power relations between men and women which boys and men view themselves as superior to and as having a right to control girls and women.
    - Radical feminists maintain, in principle, that sexism is the first, most widespread form of human oppression.
      * However, they did not; agree as to the nature or function of this sexism as well as what strategies were needed for social change.
    - Tong identified two types of radical feminism: libertarian and cultural.
      * Radical-libertarian feminists assert that an exclusively feminine gender identity will most often limit a women’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.
    - 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.
    - 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.
  + **Marxist and Socialist Feminism**
    - 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.
      * 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.
      * 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 and housework) and the tedious, poorly paid jobs predominately occupied by women.
    - 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.
      * Both class and gender relations are deemed primary.
      * Two general themes:
        + Two-system explanations of women’s oppression; and
        + Interactive-system explanations of women’s oppression.
      * Maintain that patriarchy, not capitalism, may be women’s ultimate worst enemy.
      * These feminists use terms such as “capitalist patriarchy” or “patriarchal capitalism.”
  + **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, the diversity, and the multiplicity of women as distinct from men.
    - Tong argues that the relationship between postmodernists and feminists is “uneasy.”
    - Similar to all postmodernists, postmodern feminists reject ideas centered on an absolute word that is “male” in style (e.g., phallocentric).
    - They also reject any attempts to provide a single explanation or what steps (i.e., a “to do list”) women must take to achieve liberation.
* **Additional Feminist Perspectives**
  + Ecofeminism
    - Ecofeminism was developed around the 1980s to examine relations between environmental issues and women’s issues.
    - Ecofeminists perceive domination—of women, minority groups, animals, and the earth—as essential problems rather than patriarchy.
    - Within this perspective, however, there are many varieties such as nature ecofeminism, radical-cultural ecofeminism, and spiritual ecofeminism.
  + Global and Postcolonial Feminism
    - Global and postcolonial feminism emerged in the mid-1970s.
    - It is an international women’s movement and is founded in the commonalities of women’s lives such as low economic status.
    - This perspective critically explores the impact of development, patriarchal religions, international traffic in women, and the Westernization of the Third World.
    - Feminists from First World nations (i.e., heavily industrialized and located primarily in the Northern Hemisphere) are essentially interested in issues revolving around sexuality and reproduction.
    - A number of Third World feminists (i.e., economically developing nations and located primarily in the Southern Hemisphere) are concerned not only with gender issues but with political and economic issues as well.
* **Traditional Theories of Female Crime**
  + From antiquity to the present, cultures have categorized women into “either-or” roles.
    - One such pervasive conceptualization is the Madonna/Whore duality.
      * The Madonna image personifies women as faithful and submissive wives as well as nurturing mothers.
      * The Whore image portrays a woman as a temptress of 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.
  + Young argued that black women have not experienced this “good”/”bad” dichotomy, 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 “s*inister Sapphire*” (dangerous, castrating, and treacherous toward black men).
    - Another instance of contradictory images is founded on myths concerning a black woman’s sexuality:
      * *Mammy* (longsuffering, patient, nurturing, and asexual) and *seductress* (loose, immoral, and sexually depraved).
  + Another pervasive cultural perception was “femininity.”
    - The concept of femininity is made up of various traits such as gentleness, sensitivity, nurturance, and passivity.
    - These conceptualizations become problematic when such traits are assumed inherent to an individual’s sex or are considered as “biological fact.”
    - Gender roles guided by concepts of femininity and masculinity are considered sex-linked behaviors as well as traits.
    - 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.
  + 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.”
  + Hahn argued that a woman was usually deemed “bad” if she had one of the following characteristics:
    - She was indecisive and lacked “moral fortitude,”
    - She was promiscuous; and
    - She was irresponsible because not only was she loosening her morals and values but those of her mate and descendants as well.
  + **Caesar Lombroso**
    - In his book, *The Female Offender*, Lombroso emphasized the physiological and psychological determinants of female criminality rather than socializing factors or social-structural constraints.
      * He 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.
      * Women who committed homicides often have cranial depressions as well as prominent cheekbones.
    - Lombroso implemented a similar typology for female offenders as he did for male offenders.
      * “Rarely is a woman wicked, but when she is she surpasses the man.”
      * 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.
    - Although this theory has been refuted, this “biological determinism” perspective is entrenched in some theories of female criminality.
  + **W.I. Thomas**
    - Argued that there are basic biological differences between males and females.
    - Thomas maintained that humans essentially have four wishes:
      * The desire for new experience,
      * The desire for security,
      * The desire for response, and
      * The desire for recognition.
        + 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 goes into prostitution does so to satisfy a desire for excitement and response.
    - Environmental factors were also incorporated in Thomas’ work.
      * For instance, he maintained “when crime and prostitution appear as professions they are the last and most radical expressions of loss of family and community organization.”
  + **Sigmund Freud**
    - Freud perceived women as anatomically inferior.
    - Freud also maintained that women are inferior because they are more concerned with personal matters and have very little interest in social issues.
    - Within this perspective, a deviant woman attempts to be a man.
    - According to the Freudian orientation, the best way to treat such a woman is to help her adjust to her sex role.
  + **Otto Pollak**
    - *The Criminality of Women* (1950)
      * “The criminality of women reflects their biological nature in a given cultural setting.”
    - Pollak argued that women have been more criminal in nature than what has been generally perceived by many.
    - He suggested that criminologists should address the following three questions:
      * Are those crimes in which women seem to participate exclusively, or to a considerable extent, offenses which are known to be greatly underreported?
      * Are women offenders generally less often detected than are men offenders?
      * Do women, if apprehended, meet with more leniency than do men?
    - He maintained, “The criminality of women is largely masked criminality.”
* **Feminist Critiques of Previous Research Studying Women and Crime**
  + Research in the social sciences have often ignored women and issues of concern to women, or have created differences between women and men, girls and boys that are not “natural, essential, or biological.”
  + In 1977, Carole Smart noted that women have not been *entirely* ignored in the study of crime and deviance.
    - She stressed the importance of contextualizing female criminality within a broader framework: moral, political, economic and sexual spheres.
  + From a critical, feminist perspective, Ngaire Naffine conducted an extensive review of the literature pertaining to female criminality.
  + It is essential to understand that by just including women does not necessarily imply that the study is using a feminist framework.
    - Feminists note that research using either an “add and stir” approach or a sex roleapproach does not incorporate key feminist concepts.
      * **Add and Stir**
        + Uses an existing theoretical perspective based on males and “adds” women.
        + Many scholars contend that a great deal of criminological research incorporates this approach.
      * **Sex Roles**
        + Focus on the social construction of sex roles, or what is currently referred to as gender roles.
        + Research using this approach has been criticized primarily because there is a tendency to perceive these roles as almost being sex-linked without incorporating a larger context as to how these roles have been defined or “determined.”
  + **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:
      * The increased opportunities for women to participate in the labor force and thus the increased opportunities to commit certain types of crime; and
      * The changing self-concept and identity of women and girls due to the consciousness-raising aspects of the movement.
    - These perspectives were offered during the second wave of feminism.
    - Often-cited Scholars
      * Freda Adler
        + *Sisters in Crime* (1975)

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.

* + - * + As the position of women becomes similar to the position of men, this will result in women obtaining not only legitimate opportunities in the labor force but illegitimate opportunities as well.
        + Maintained that due to women’s liberation, the violent crime rate among women would increase.
      * Rita Simon
        + *Women and Crime* (1975)
        + Only property crime rates among women would increase due to the women’s liberation movement; the violent crime rates among women would decrease because women’s frustrations would lessen as they are provided more opportunities in employment and education.
    - Ngaire Naffine outlined the assumptions of the women’s liberation theory including:
      * The liberation movement can be linked to an increase in female crime;
      * The increase in female crime is a function of women becoming more masculine;
      * These increases in female crime are due to women becoming actively competitive with men.
        + 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.
    - 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.
  + **Power-Control Theory**
    - John Hagan and his colleagues developed the Power-Control Theory incorporating a conflict-oriented theory with social control theory.
    - The theory attempted to explain gender differences in delinquency rates by including family dynamics.
    - Specifically, Hagan argued youths from families characterized as patriarchal (i.e., mother had lower status than the father) revealed greater gender differences in delinquency rates compared to youths from more egalitarian homes (i.e., parents had same status or mother was the only parent in the home).
    - An integral aspect to the relationship between family dynamics, gender, and delinquency rates was social class.
* **Feminist Perspectives to Understanding Crime and Criminal Behavior**
  + Sandra Harding provided three characteristics or features that distinguish feminist research.
    - 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 as human activity as defined by white, European, middle-class men.
    - The second feature of feminist analyses was the new purpose for women, whereas traditional analyses have primarily been for men.
    - The final characteristic of feminist research was locating the researcher in the same critical plane as the subject matter.
  + **Objectivity and Subjectivity**
    - Feminist scholars challenge research claims of objectivity.
    - Feminist scholars argue that the standards to assess objectivity are founded on biases established by, and for, individuals of privilege.
  + **Qualitative “versus” Quantitative Analyses**
    - 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.”
  + **Feminist Criminology**
    - Feminist criminology evolved, primarily from liberal feminists; with the realization and objection, that gender was essentially ignored and excluded from criminological theory.
    - Early feminist criminologists demanded that analyses of crime include consideration of gender in ways that had not occurred before.
    - Dorie Klein maintained that three challenges need to be addressed by feminist criminologists.
      * These include the following:
        + To continue to search for the scientific basis of theories of men’s and women’s criminal behavior;
        + To reexamine gender and racial/ethnic biases in the social sciences; and
        + To develop a new definition of crime.
    - Kathleen Daly and Meda Chesney-Lind identified the following five elements that distinguish feminist thought from other forms of social and political thought:
      * 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.
      * Gender and gender relations order social live and social institutions in fundamental ways.
      * 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.
      * Systems of knowledge reflect men’s views of the natural and social world; the production of knowledge is gendered.
      * Women should be at the center of intellectual inquiry, not peripheral, invisible, or appendages to men.
    - 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.
    - Amanda Burgess-Proctor argued that for contemporary third-wave feminist criminologists, it is essential to build on the foundation laid by previous feminist criminologists.
      * Specifically, she maintained that feminist criminology needs to embrace all sources of oppression without prioritizing gender.
    - 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.
    - One feminist framework that has been used to explore the experiences of women in the criminal justice system is pathways research:
      * This approach attempts to determine life experiences, particularly childhood ones, that place one at risk of offending.
* **Critiques of Feminist Theories**
  + In the 1960s, women of color challenged feminism by arguing that these perspectives essentially focused on the experiences of white middle-class women.
  + Amanda Burgess-Proctor identified key conceptual factors that distinguish multiracial feminism from other feminist perspectives.
    - 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 as well as other social locations of inequality.
    - Second, multiracial feminism stresses the importance of recognizing the ways in which 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.”
  + Another issue that has been raised by feminist scholars is when conducting research on women, it is essential that one avoids placing these women as either offenders or victims.
    - This has been referred to as the “blurred boundaries” theory of victimization and criminalization.
  + Lisa Maher critiqued both traditional and feminist research with respect to the importance of not overemphasizing or ignoring women’s agency.
    - 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.
    - On the other end of the spectrum, more associated with some feminist research, women are denied agency.
* **Policies Based on Feminist Theories of Crime**
  + Influenced by the women’s movement (i.e., the Second Wave), our understanding as well as the legal response to rape have undertaken substantial changes.
  + 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:
      * Increasing the reporting of rape and enhancing the prosecution and conviction in rape cases;
      * Improving the treatment of rape victims involved in the criminal justice process;
      * Achieving comparability between the legal treatment of rape with other violent offenses;
      * Prohibiting a broader range of coercive sexual conduct; and
      * Expanding the ranges of persons protected by the law.
    - Four major types of legislative reforms were identified:
      * Redefinition of the offense;
      * Evidentiary reforms;
      * Statutory offenses; and
      * Penal structure.
  + Another example of how feminist criminologists have informed policies is in the area of “gender-responsive” programming.
    - The Office of Juvenile Justice and Delinquency Prevention established a funding opportunity to enhance programs specifically targeted for juvenile girls.
* **Conclusion**

|  |  |  |  |
| --- | --- | --- | --- |
| Theory | Concepts | Proponents | Key Propositions |
| Traditional theories of female crime | Dichotomized women into “either/or” roles in terms of sexuality; Femininity; the Cult of True Womanhood; emphasize biological and psychological factors. | Various (e.g., Caesar Lombroso, W.I. Thomas, Sigmund Freud, and Otto Pollak) | Emphasized physiological and psychological explanations to understand female criminality rather than social factors; particular emphasis on stereotypical assumptions of women sexuality. |
| Liberation Thesis | Increased opportunities for women to participate in the labor force; changing self-concept and identity of women; and liberation movement. | Freda Adler  Rita Simon | As opportunities for women in the legal sphere are enhanced, so will 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; and social class. | John Hagan, et al. | Youths from patriarchal families have greater gender differences in delinquency rates compared to 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; and women should be at the center of intellectual inquiry. | Various | To continue to search for the scientific basis of theories of men’s and women’s criminal behavior; to reexamine gender and racial/ethnic biases in the social sciences; to develop a new definition of crime; and to recognize the ways in which interesting systems of power and privilege interact on all social-structural levels. |