

The Emerald Handbook of Feminism, Criminology and Social Change

EMERALD STUDIES IN CRIMINOLOGY, FEMINISM AND SOCIAL CHANGE

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Emerald Studies in Criminology, Feminism and Social Change offers a platform for innovative, engaged, and forward-looking feminist-informed work to explore the interconnections between social change and the capacity of criminology to grapple with the implications of such change.

Social change, whether as a result of the movement of peoples, the impact of new technologies, the potential consequences of climate change, or more commonly identified features of changing societies, such as ageing populations, intergenerational conflict, the changing nature of work, increasing awareness of the problem of gendered violence(s), and/or changing economic and political context, takes its toll across the globe in infinitely more nuanced and interconnected ways than previously imagined. Each of these connections carry implications for what is understood as crime, the criminal, the victim of crime, and the capacity of criminology as a discipline to make sense of these evolving interconnections. Feminist analysis, despite its contentious relationship with the discipline of criminology, has much to offer in strengthening the discipline to better understand the complexity of the world in the twenty-first century and to scan the horizon for emerging, possible or likely futures.

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‘Nearly half a century after International Women’s Year, powerful mechanisms of gender inequality persist around the world. They generate poverty and cultural oppression, and are deeply implicated in violence, crime and victimization. This Handbook documents recent feminist criminology from many countries, highlighting gender dynamics around the Global South, new forms of online abuse, state violence, emerging theories of gender and crime, and creative strategies for social change. A great resource for criminology, and for the wider struggle for gender justice.’

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‘This fascinating collection tells the story of how criminology and victimology were transformed by feminist perspectives, and reveals the compelling new insights critical perspectives on gender are bringing to the study of social harms, including those inflected by the legacies of colonialism, globalization and state-sanctioned forms of social control. Anyone in doubt as to the difference feminism and criminology can make to a world complexly fractured by violence, abuse and accumulating inequalities should read this book. Insightful, inspiring and empowering.’

David Gadd, Professor of Criminology, University of Manchester, UK

‘Does criminology “see” gender? This is the central question engaged in this wide-ranging, important and timely volume. This book engages this topic in ways that are theoretically and empirically expansive. The collection offers depth and breadth of engagement with the ways in which criminology has ignored, marginalized and sometimes engaged questions of gender and all its related intersections. It also explores theoretical, methodological and practical possibilities that are important for shaping the discipline into the future.

The book includes contributions that cover a broad range of topics that go beyond questions of gender in criminological research to include serious engagement with intersectionality, engagement with the hegemony of global northern theorizing and voice, as well as work that touches on questions of decolonization in the criminological agenda.

The book is fundamental reading in criminology, women’s and gender studies, and other disciplines interested in feminist work on violence, gendered violence in particular. This resource is essential for teachers in these fields and its interdisciplinary nature enables us to not only deconstruct disciplinary boundaries but also facilitates the asking of important questions about violence, victimhood and perpetration. I will recommend this book to all of my students and colleagues engaged in critical psychological work on violence and gender.’

Floretta Boonzaier, Professor of Psychology and Co-Director of the Hub for Decolonial Feminist Psychologies in Africa at the University of Cape Town, South Africa

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EDITED BY

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Throughout our work, together we have benefitted from the insights and expertise of many feminist scholars. We would like to thank those who attended the Intimate Partner Violence, Risk and Security Workshop at Monash Prato in September 2017, that resulted in the edited collection, Fitz-Gibbon, K., Walklate, S., McCulloch, J. and Maher, J. (Eds). 2018. *Intimate Partner Violence, Risk and Security: Securing Women's Lives in a Global World*, London, Routledge. Some of those who attended this workshop have also contributed to this handbook and we are very appreciative of their ongoing willingness to work with us. Other contributors took a risk to work with us for the first time. We hope you have enjoyed the experience as much as we have enjoyed working with you all and everything we have all learned together in this journey. It is the case that this collection has brought together some hugely important and insightful work and we are very grateful to our contributors for ensuring that this will be a flagship collection.

At the same time, of course, our life as editors goes on in other realms too. We would like to acknowledge the wider support of colleagues at Monash University for the collegiality offered to us all along with that provided by our respective partners and families who continue to support us with good humour and patience.

The Editors
December 2019.

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Part One

The Origins of Feminist Criminology

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Introduction to Part One

In proposing a handbook on *The Emerald Handbook of Feminism, Criminology and Social Change*, our objective was to capture and collate the substantive contributions of feminist criminology, but also to recognise and record the transformative interventions of feminist scholarship in criminology more broadly. Each of the chapters in this opening section of the volume chart specific and detailed feminist contributions to areas of criminology such as victimology, research practice and methodologies and understandings of crime, but they simultaneously point to the alterations these interventions have generated in criminology. The chronologies of change that they offer in these different areas of criminology are both concrete and conceptual and they are always connected to and driven by social debate and contestation. As Gelsthorpe reflects in this volume, ‘the methodological and epistemological is political’.

In this opening chapter, the editors review the nature of different feminist perspectives and the impact that they have had on criminology and victimology. They pay particular attention to the challenges of inter-disciplinarity as central to feminist projects and reflect upon the influence of diverse feminist voices in both past and present. This chapter will lay the foundation for the contributions which follow and will make the case for the importance of appreciating these contributions within their global context and chronological position.

In her chapter on feminist work, Loraine Gelsthorpe revisits the early history of feminist interventions in criminology in the UK and other Western countries. She illuminates the on-going epistemological challenges inherent in bringing feminist perspectives to bear on a generally ‘androcentric’ criminological enterprise. Offering a valuable chronology that spans the second half of the twentieth century, the chapter is centrally concerned with the different ways in which feminist scholars in criminology grappled with the question of how to produce good quality knowledge that locates gender, and its consequent inequalities, at the heart of criminology. The positioning of ‘woman’ as a conceptual term which transformed the criminological framework in Carol Smart’s (1976) pioneering work *Women, Crime and Criminology* began a series of gendered interventions grounded in critical feminist perspectives. Gelsthorpe also documents the evolution of feminist work itself: while early approaches tended to concentrate on the inadequacies and omissions of criminology, on ‘adding’ women’s experiences and outcomes to existing knowledges, subsequent work goes further and

challenges the framework of mainstream criminology. Interventions into central practices and conventions of criminological research, such as Sylvia Walby et al.'s (2015) critique of conventional counting of violent incidents address fundamental knowledge production practices and argue for the need to embed gender to achieve veracity, accuracy and social change. Gelsthorpe's final reflection, following Heidensohn, that criminology definitely needed feminism, and continues to need it, is pertinent to the remaining chapters in the section and in this volume. The processes by which feminist criminology has created change have been gradual, complex and not always uni-directional, as other contributors highlight.

If gender is understood as central to the commission, patterns and prevalence of crime itself, the impact of gender on patterns of victimisation is immediately highlighted. In their chapter on 'Feminist Approaches to Victimology', Jody Clay-Warner and Timothy G. Edgemon document how feminist scholarship has changed victimology, in terms of domain knowledge, in terms of our understanding and in terms of understanding of the term victim, and centrally in how we consider the experiences of, and outcomes for, victims of crime. Clay-Warner and Edgemon highlight key themes in victimology informed by feminist knowledges: (1) the gendered nature of criminal victimisation, (2) victimisation of women (and threat of victimisation) as a means of informal social control, (3) examination of ways in which legal structures limit women's ability to report victimisation and to prosecute offenders and (4) the relationship between women's victimisation and offending. They highlight the gendered biases and inequalities built into early victimology where the study of victims centred on their role in 'triggering' the violence(s) that were perpetrated against them and the destructive ways in which this approach impacted women in particular. Their excavation of underlying assumptions about causes of victimisation and offending reveal both the persistence and protection of the gendered social order and the challenges already mounted by, and still required, from feminist-informed victimology.

Challenging the gendered social order is also a central theme of the chapter by Joanne Belknap and Deanne Grant. In 'Feminist Activism and Scholarship in Resisting and Responding to Gender-based Abuse', they review the contribution of feminist criminologists and activists to moving violence against women (VAW) from an area of concern for women and feminists to a global focus. They chart the influence of feminist concerns and activism in driving and embedding recognition that the prevalence and ramifications of VAW are critical well beyond the experiences of individual women. Belknap and Grant examine a range of gender-based abuses, such as honour killings, fistula, forced marriage, sexual harassment and stalking, but their central focus is on intimate partner abuse and rape. In taking this approach, they point to one of the key contributions of feminist criminology, which is the challenge to distinctions of public and private violence and the implications for what we consequently understand as criminal. The complex pathway towards recognising rape in marriage is emblematic of such shifts, and the barriers that have existed and continue to exist in securing the everyday safety of survivors of gendered violence, holding abusers accountable

and working towards safer communities. As Clay-Warner and Edgemon comment elsewhere in this volume,

the irony, of course, is that avoiding going out alone at night, riding public transportation, etc. is directed as preventing violent crimes by strangers, while women face the greatest risk from men they know.

This gendered assessment of risk, and recognition of its implications, has been central to the work of feminist criminology and its programme of social change.

The link between scholarship and activism highlighted by Belknap and Grant also speaks to one of the central insights of this volume. While it is not possible to fully capture the historical and contemporary efforts of activists to respond to and prevent VAW across the world, they point to intertwined epistemological and activist efforts to identify VAW as a serious social problem, to scope the various and often overlapping types of VAW and to implement a range of responses that change women's experiences. As Ann Oakley (2000) has persuasively argued, we cannot distinguish ways of knowing from the gendered social relations that produced them. Challenges to these gendered social relations will necessarily be both conceptual and social: and as this chapter shows, innovative and effective change often emerges at this intersection.

This intersection of activism and scholarship underpins the chapter contributed by Annie Cossins, 'Feminist Criminology in a Time of 'Digital Feminism': Can the #MeToo Movement Create Fundamental Cultural Change?' Cossins begins with an examination of the ways in which the #MeToo movement can be situated within a long history of feminist criminology's recognition of the cultural significance of the concepts of sex and gender, bodies and social practices in how we understand and respond to crimes. This focus on sex, gender and bodies has been a key aspect of the transformation proposed by feminist criminological scholarship. As Cossins observes here,

[t]he sex of the body matters within each different cultural/racial milieu so that women and girls quickly learn from their own men about the specific cultural values associated with their bodies.

Cossins explores the social significance of the body and, in particular, how sex intersects with race, ethnicity and class to document feminist criminology's role in order to understand different women's experiences of men's sexual violence.

Yet, the focus of this chapter, the final in this section, on the #MeToo movement highlights some dispiriting realities. As Cossins shows, the outcomes of the #MeToo movement have revealed the extent of sexual assault and harassment in workplaces, the extent of male privilege and entitlement, across lines of diversity and power and the systemic failure of systems designed to protect women and girls. When we chart the origins and trajectory of feminist criminology, we see the impact of radical, activist and transformative scholarship but we also face the magnitude of the work still to be done. It is to this work that the following sections in the volume turn.

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Chapter 1

Evolving Feminist Perspectives in Criminology and Victimology and Their Influence on Understandings of, and Responses to, Intimate Partner Violence

*Kate Fitz-Gibbon, Sandra Walklate,
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Abstract

In this opening chapter, the editors review the nature of different feminist perspectives and the impact that they have had on criminology and victimology. They will pay particular attention to the influence of diverse feminist voices in both past and present and the ongoing challenges posed by the emergence of southern criminology and the recourse to law as an avenue to securing change for women living with violence.

Keywords: Criminology; victimology; feminisms; gender; violence(s) against women; masculinities

Introduction

This chapter examines feminist responses to criminology and victimology over time, acknowledging that the work of feminisms as it intersects with these two domains has evolved and has met different challenges. In the first part of this chapter, we offer an examination of the emergence of criminology and victimology and the different forms of feminism including the work of liberal, radical, postmodern and third/forth wave feminism that have made their presence felt in each of these areas of investigation. Here we are deliberate in our use of the term ‘feminisms’ as we acknowledge that over time and at any one given time there

is no single feminist voice or view (this follows on from terminology set up in [Fitz-Gibbon and Walklate, 2018](#), see also [Daly and Chesney-Lind, 1988](#): 501). In the second part of this chapter, we move on to examine two of the more recent challenges for feminist criminology and victimisation – the emergence and impact of northern theorising and the fraught relationship between feminism and legal responses to intimate partner violence. Throughout we reflect upon the evolving role and influence of understandings of sex and gender on crime, criminal behaviour and criminal victimisation and, in the second half of the chapter, in responses to violence against women.

Sex, Criminology and Victimology through the Ages

The domains of criminology and victimology share foundations in positivism. Positivism influenced much of the discipline's early work and framing of knowledge around how to understand behaviours and the role of systems and structures ([Roshier, 1989](#); [Fitz-Gibbon and Walklate, 2018](#)). Certainly, in terms of criminology, and to an extent victimology, much of this early work focussed upon this version of scientific endeavour (characterised by determinism, differentiation and pathology, [Roshier, 1989](#)) to better understand the drivers of crime, the behaviours of the criminal and how this knowledge could inform the more effective policy responses. The seminal work of Cesare Lombroso has come to epitomise the thinking of this era of criminology. Lombroso was heavily influenced by Darwinian principles alongside the emergence of biogenetics as an explanation for understanding who was and was not 'criminal'. From this perspective, Lombroso proposed that criminals were biologically distinct from 'normal' humans and were rather 'a throwback' to an earlier state of evolutionary ancestry; an atavistic degeneration ([Fitz-Gibbon and Walklate, 2018](#)). Lombroso used the concept of atavism to explain criminality as an abnormal behaviour. This work inspired and gave rise to a body of criminological knowledge that adopted an anthropological, biological and positivist perspective to explaining criminal behaviour (e.g., the work of [Hall-Williams, 1982](#) on the 'chemistry of crime').

This early work of the discipline was heavily influential in how the knowledges of criminology and victimology developed in terms of explanations for crime and criminality. In particular this work was pivotal to how sex differences were considered and accounted for and later proved influential in how sociological understandings of deviancy and delinquency took sex into account ([Fitz-Gibbon and Walklate, 2018](#)). While the work of victimologists emerged later than that of criminologists, it too was focussed on the development of typologies to understand victimisation and non-victimisation (see, e.g., the work of [Hentig and Mendelsohn](#)). In the same way that Lombroso and other criminologists had sought to categorise who did and did not become criminal, early victimology scholars adopted a determinist perspective to examine the characteristics common to 'victims' as a category of individual distinct from non-victims. Like criminology's early treatment of sex, the early work of victimologists was largely based on the assumption that the 'normal' individual was white, heterosexual and male.

The subcultural study of crime and criminology in the 1950s and 1960s largely continued this viewpoint, furthering the assumption that female offending