

Feminist Criminology through a Biosocial Lens

Feminist Criminology through a Biosocial Lens

Anthony Walsh

PROFESSOR, DEPARTMENT OF CRIMINAL JUSTICE,
BOISE STATE UNIVERSITY

CAROLINA ACADEMIC PRESS

Durham, North Carolina

Copyright © 2011
Anthony Walsh
All Rights Reserved

Library of Congress Cataloging-in-Publication Data

Walsh, Anthony, 1941-

Feminist criminology through a biosocial lens / Anthony Walsh.

p. cm.

Includes bibliographical references and index.

ISBN 978-1-59460-966-4 (alk. paper)

1. Feminist criminology. 2. Criminal behavior--Genetic aspects. 3. Crime--Sex differences. 4. Sociobiology. I. Title.

HV6030.W34 2011

364.3'74--dc22

2010050830

CAROLINA ACADEMIC PRESS

700 Kent Street

Durham, North Carolina 27701

Telephone (919) 489-7486

Fax (919) 493-5668

www.cap-press.com

Printed in the United States of America

Contents

| | |
|---|-----------|
| Foreword | ix |
| Preface | xi |
| Acknowledgments | xvii |
| Chapter 1 • Feminist Criminology: Perspective and Concepts | 3 |
| The Biosocial Perspective and Tinbergen’s Four Questions | 3 |
| Feminism | 5 |
| Gender | 7 |
| Patriarchy | 8 |
| Feminist Criminology | 10 |
| Chapter 2 • The Generalizability Problem | 13 |
| What Is the Problem? | 13 |
| Anomie | 14 |
| Subcultural Theories | 15 |
| Differential Association | 16 |
| Labeling | 17 |
| Marxism | 18 |
| Female-Centered Theory | 19 |
| The Generalizability Problem Is Not a Problem | 20 |
| Chapter 3 • The Gender Ratio Problem and Socialization | 23 |
| The Gender Gap in Criminal Offending | 23 |
| Socialization | 24 |
| Early Feminist Theoretical Efforts: Women’s Liberation and Crime | 28 |
| Is the Converge Hypothesis Supported by Research? | 30 |
| Chapter 4 • General Feminist Theories of Criminal Behavior | 33 |
| Power-Control Theory | 33 |
| Structured Action Theory: “Doing Gender” | 35 |
| Gender Differences Explained by Gender-Differentiated Traits | 37 |
| Evaluating Socialization as the Cause of Gender Differences | 38 |
| Bringing Biology In | 40 |

| | |
|--|-----|
| Chapter 5 • Social Constructionism and Social Science’s Triad of “Evils” | 43 |
| Social Constructionism | 43 |
| Determinism | 45 |
| Essentialism | 48 |
| Reductionism | 49 |
| Chapter 6 • Social Constructionism and Gender | 53 |
| The Social Construction of Gender? | 53 |
| The Seductive Appeal of Constructionism | 54 |
| The Influence of Margaret Mead | 55 |
| Ecological Explanations | 58 |
| Melford Spiro and the Kibbutzim | 59 |
| Chapter 7 • Evolutionary Approaches to Gender | 63 |
| Human Nature | 63 |
| Natural Selection and Human Nature | 65 |
| Sexual Selection and Gender Nature | 67 |
| Selection for Biparental Care and Its Consequences | 69 |
| Chapter 8 • Evolutionary Explanations for Gender Differences in Criminality | 73 |
| Parental Investment, Staying Alive, and Fear | 73 |
| Gender Differences in Status Striving | 75 |
| Tending and Befriending | 76 |
| Specific Evolutionary Theories of Criminal Behavior | 78 |
| Cheater Theory | 79 |
| Conditional Adaptation Theory (CAT) | 81 |
| Alternative Adaptation Theory (AAT) | 81 |
| Chapter 9 • From Genes to Gender: Sexual Differentiation of the Brain | 83 |
| The Neurohormonal Basis of Gender | 83 |
| Sexing the Brain | 85 |
| Intersex Anomalies: What Can They Tell Us about Gender Differences? | 86 |
| Other “Intersex” Conditions | 90 |
| Chapter 10 • Sex/Gender Differences in Brain Structure and Function | 93 |
| Basic Brain Development | 93 |
| Sex on the Brain | 94 |
| Brain Laterality | 95 |
| Arousal Levels | 98 |
| Gender Biases in the Visual System | 99 |
| The Impact of Protracted Stress on Male and Female Brains | 100 |

| | |
|--|-----|
| Chapter 11 • Gender Differences in Prosocial Traits | 103 |
| Altruism | 103 |
| Gender Differences in Altruism | 105 |
| Empathy | 107 |
| Gender Differences in Empathy | 108 |
| Guilt Proneness | 110 |
| Conscientiousness and Agreeableness | 111 |
| Chapter 12 • Gender Differences in Major Risk Factors for Criminality | 113 |
| Impulsiveness/Low Constraint/Low Self-Control | 113 |
| ADHD: Definitions and Prevalence | 114 |
| The Genetics and Neurobiology of ADHD | 115 |
| ADHD and CD Comorbidity | 115 |
| Gender Differences in ADHD and CD | 116 |
| Alcoholism | 117 |
| Gender Differences in Alcoholism | 118 |
| Psychopathy | 119 |
| Psychopathy and the Social Emotions | 120 |
| Gender Differences in Psychopathy | 122 |
| General Conclusion | 123 |
| References | 127 |
| Index | 151 |

Foreword

Criminological research has produced very few “facts” about crime that are generally agreed upon by the majority of researchers in the field. One of the main exceptions to this general rule is the link between gender and crime. In virtually every single study ever conducted, males are much more likely than females to engage in violence, aggression, and serious crimes. As the seriousness of the offense/behavior increases, the gender gap also tends to increase, such that the most violent criminal acts are almost exclusively a male phenomenon. These findings have been produced by analyzing samples collected from different countries, at different time periods, and that include different racial/ethnic groups. The gender-crime nexus, in short, is robust, consistent, and not due to a methodological or statistical artifact.

That there is a connection between gender and crime is not disputed by any serious scholar of crime; however, the underlying mechanisms that account for males being much more criminal than females has been at the center of some serious and contentious debates. Explanations of the gender gap in offending, for example, range from differences in the ways boys and girls are socialized by their parents to differences in how the media depicts and portrays males and females. Regardless of which theoretical camp one belongs to, the overarching theme cutting across virtually all criminological explanations is that the only factors that could potentially account for the male-female gap in offending are environmental factors. To say otherwise would be blasphemous and heretical and would quickly incite the PC police into action.

The main problem with the theories designed to explain the gender gap in offending is that they are relatively defunct of empirical support and have provided virtually no insight into the causal processes that lead from gender to criminal involvement. Take, for example, theories that argue that the gender gap in offending can be tied to differences in family dynamics. The merits of such explanations hinge on whether or not parents treat their sons and daughters differently; if they do not, then there is no way that family socialization patterns could explain the huge gender disparity in offending. Vast amounts of research have examined potential gender differences in parental socialization

tactics and across hundreds of studies there is very little evidence that parents socialize their children differently based on their gender. Even with this evidence in hand, criminologists continue to champion environmental explanations as they are viewed as safe, progressive, and liberating. Any other explanations—especially ones that incorporate findings from the biological sciences and from evolutionary research—are outright rejected because of the fear that they could be used in evil and dangerous ways. The point is that ideology and political correctness have been placed above objective science when it comes to studying gender differences.

Enter Anthony Walsh's book, *Feminist Criminology through a Biosocial Lens*. Unlike other books that treat the gender-crime association with kid gloves, Walsh tackles the gender gap in offending head-on using an empirically informed biosocial perspective that highlights the roles of environmental, genetic, neurobiological and evolutionary factors in the creation of male-female differences in criminal behavior. Walsh takes the reader on a journey through the emerging field of biosocial criminology and then uses findings from this line of research to provide a logically argued and empirically sound explanation of gender and crime that is free of the political and ideological pressures that most criminologists writing in this area succumb to. Most importantly, however, is that it provides testable hypotheses and falsifiable ideas which will spark the scientifically oriented criminologist to examine empirically, not rhetorically. The true impact that this book will have on the study of gender differences in crime will ultimately hinge on the results of empirical studies. When all is said and done, *Feminist Criminology through a Biosocial Lens* will likely stand out as perhaps the single-most accurate and important treatise on the gender-crime association published to date.

Kevin M. Beaver
Florida State University

Preface

According to Bernard, Snipes, and Gerould (2010:299) the issue of why always and everywhere males commit more criminal acts than females is the “single most important fact that criminology theories must be able to explain.” While the centrality of the gender ratio issue to criminology is not in question, one could question the utility of continuing trying to answer it with the same conceptual and theoretical tools that have not proven useful in this regard. Gottfredson and Hirschi (1990:149) have even concluded that an explanation of gender differences in criminal behavior from the dominant sociological perspective is “beyond the scope of any available set of empirical data.” This book offers an alternative to the strict environmentalism of the sociological perspective. It explores feminist criminology in general and attempts to explain its two central concerns—the generalizability and gender ratio problems—from a biosocial perspective. The biosocial paradigm is growing in strength every year, as an examination of both the number of published books and articles in professional journals in criminology and other social and behavioral science disciplines will attest.

Francis Cullen, one of criminology’s most revered figures, calls the biosocial perspective “a broader and more powerful paradigm [than the sociological paradigm]” (2009:x). While there are many books on the market addressing female offending, most of them are too wedded to the single discipline of sociology; a kind of discipline reductionism is no longer acceptable. By way of contrast, this book ranges across sociology, anthropology, psychology, behavioral and molecular genetics, the neurosciences, and evolutionary biology. It is time to apply this exciting and robust paradigm—one that avers that *any* trait or behavior of *any* living thing is *always* the result of biological factors interacting with environmental factors—to the most vexing issues of feminist criminology.

Chapter 1 introduces the reader to the biosocial approach by focusing on Nobel Prize winner Nikolas Tinbergen’s famous four questions. These questions are deemed necessary to ask if we are to understand the behavior of any organism because they urge us to look at current behavior from the most distal to the most proximate level of analysis. Feminism, what the movement is and what it is trying to accomplish is explored, followed by an introduction to the concept

of gender. Gender is central to the concerns of this book and is only briefly touched on here. This is followed by a look at patriarchy from the points of view of both social constructionist feminists and evolutionary feminists.

Chapter 2 addresses feminist criminology's so-called generalizability problem, which asks if theories formulated, tested, and evaluated, and gleaned from male samples are applicable to females. I look at Eileen Leonard's examination of anomie, subcultural, differential association, labeling, and Marxist theories relevant to this issue (she concludes that none of them are fully applicable to female offending). Female-centered "mini-theories" such as *criminalizing girls' survival* and *victim precipitated homicide* designed to explain the crimes of girls and women as functions of their victimization by males are addressed. I then conclude that the generalizability problem is not a problem because female offenders are found in the same demographic locations and life situations as male offenders, and the same demographics and the same individual characteristics that predict male offending also predict female offending.

Chapter 3 examines the gender gap in criminal offending from a sociological point of view. Attitudinal and behavioral differences among classes of individuals (including gender) are almost invariably attributed exclusively to differences in socialization patterns by most sociologists. The first issue discussed in this chapter is thus gender socialization. I then address the possible role of the women's liberation movement in generating female offending by discussing the masculinization, emancipation, and economic marginalization hypotheses put forward by feminist criminologists. These hypotheses have come to be known collectively as the *convergence hypothesis*. The convergence hypothesis asserts that cultural changes leading to greater freedom for women will eventually lead them to commit crimes at rates close to male rates. I then look at evidence addressing this possibility.

Chapter 4 looks at power-control theory, a theory that explains gender differences in offending with reference to family dynamics, and structured action theory, which posits that excessive male offending is a function of how males "do gender." Both theories are based on socialization practices and say nothing about individual traits. There are explanations of gender differences based on differences in quantitative traits such as aggression and empathy, but once again these "explanations" turn exclusively to socialization to account for them. The final part of the chapter makes a plea to bring biology into the issue by examining what some prominent sociologists have said about doing so. I also identify a number of feminist biosocial scientists to show that feminism is far from incompatible with a biosocial perspective.

Chapter 5 discusses the concept of social constructionism and three philosophical concepts which its adherents abhor—determinism, essentialism, and

reductionism. I begin by agreeing that in some sense everything is socially constructed because nature does not come to us ready labeled—humans must interpret it and stick labels on it through social agreement. I look at what constructionism has to offer us, and what we should avoid about it. I then examine the “triad of evils,” showing how those who belong to the strong school of social constructionism seriously misunderstand these concepts, all of which are in many ways part of the foundation of modern science. I explain what these things are, what their value is, and how they are misunderstood.

Chapter 6 examines the social construction of gender, focusing on the strong social constructionist position that gender socialization patterns observed in a particular culture are arbitrary. It examines the powerful seductive appeal of social constructionism, concluding that its appeal lies in the extreme range of positions it allows its adherents to take relative to the much narrower range allowed by empirical science. I examine the gender-socialization-as-arbitrary position with reference to Margaret Mead’s famous work on sex and temperament and its critics, as well as Melford Spiro’s studies of the Israeli kibbutzim. I note that both Mead and Spiro came to reject their earlier cultural determinism for a more realistic biosocial position. This chapter is the transition chapter from the sociological to the biosocial.

Chapter 7 discusses the evolutionary origins of gender and establishes the foundation for claims that males and females have different rates of crime and other forms of antisocial behavior because they have evolved different natures. I begin by looking at human nature (and its denial on the part of social constructionists) and move on to how human nature is the sum of our evolutionary adaptations that have been captured by natural selection. Natural selection produces a sex-neutral human nature due to the common evolutionary concerns of both sexes; sexual selection produces a male nature and a female nature due to sex-specific evolutionary concerns. I then look at the selection pressures for biparental care (very rare among mammals) and how it prevented “runaway sexual selection” and moved male and female natures closer together in terms of their personalities and behavior.

Chapter 8 looks at evolutionary explanations for gender differences in criminality. The first of these explanations is Anne Campbell’s “staying alive” hypothesis, which has to do with the male/female asymmetry in parental investment and how this led to sex differences in fear and status-striving. Shelly Taylor’s tend-and-befriend hypothesis is then explored. This is a biobehavioral model of sex-differentiated responses to stress which have been forged due to the different reproductive roles of males and females. Finally, I look at three evolutionary theories of criminal behavior that focus on gender differences in offending. Each of these theories—cheater theory, conditional adaptation the-

ory, and alternative adaptation theory—have as their organizing principle sex differences in reproductive strategies; that is, mating versus parenting effort.

Chapter 9 examines the neurohormonal basis of gender. The male brain is “sexed” in utero via the saturation of androgen receptors with androgens; the female brain remains in the default state of all mammalian brains—female. The SRY gene found on the Y sex chromosome initiates a series of processes that develops the XY embryo into a male. But this process can go wrong for a variety of reasons, leading to individuals whose gender identity is incongruent with their genital status. These individuals are known as intersex anomalies or pseudo-hermaphrodites, and I explore what they can tell us about the relative impact of prenatal hormonal surges versus socialization with regard to gender identity formation. These anomalies range from the complete insensitivity of androgen receptors, in which case chromosomal males develop as ultra-feminine females both physically and psychologically, to individuals with approximately twice the normal level of androgens.

Chapter 10 continues to explore sex differences in the brain. I first look at the neuroscience concepts of experience-expected and experience-dependent brain development to show that while the brain is “sexed” in utero, how it develops throughout life is an experience-dependent process. I then look at brain laterality and what it means for a variety of sex/gender differences in traits and behaviors. Arousal levels are then addressed in terms of sex/gender differences, followed by gender biases in the visual system. Apparently, many of the early sex-differentiated color and toy preferences that are often dismissed as gender stereotypes have their origins in different retinal cell densities of female-biased parvocellular cells and magnocellular cells in males. The brain differences examined in this chapter are linked to sex-differentiated roles in evolutionary history. Finally, I look at the different outcomes often experienced by males and females as the result of protracted stress which lead to externalizing and internalizing problems, respectively.

Chapter 11 looks at gender differences in major traits widely regarded as protective factors against antisocial behavior. The first trait is altruism, an active regard for the well-being of another, followed by empathy, a cognitive/emotional trait that motivates altruistic behavior. The evolutionary reasons why empathy is so important to women, such as the need to respond reflexively to infants’ needs, are explored. I then look at the empirical evidence from endocrinology, neurobiology, and sundry other disciplines for the assertion that women are, on average, more empathetic and altruistic than males. I then look at guilt proneness and again find that females are higher than males on this prosocial trait. The final traits examined are from psychology’s “big five” model—agreeableness and conscientiousness. Large worldwide studies have

found that women exceed men on these traits in almost all cultures examined.

The final chapter reverses Chapter 11 by looking at gender differences in traits known to be strongly related to criminal behavior. These include impulsiveness, ADHD and ADHD/CD comorbidity, alcoholism, and psychopathy. Gender differences in all these antisocial traits are examined in terms of empirical data from many disciplines, all of which find that robust gender differences in them are ubiquitous across cultures. This chapter also contains an overall general conclusion section, with the primary conclusion being that we have every reason to *expect* large gender differences in criminal behavior and other forms of antisocial behavior. The gender ratio problem is really only a source of puzzlement to those who think of human beings as blank slates blown hither and thither like so many dead leaves by environmental winds. Indeed, it would be a major puzzle if we were to find a culture in which the female rate of criminal offending was approximately equal to the male rate.

Acknowledgments

I would first of all like to thank Carolina Academic Press, specifically Beth Hall, in acquisitions, for her faith in this project from the beginning. Thanks also for the commitment of Zoë Oakes. This tireless duo kept up a most useful three-way dialog between author, publisher, and excellent reviewers. My copy editor, Suzan Raney, spotted every errant comma, dangling participle, and missing reference and misspelled word in the manuscript, for which we are truly thankful. Production editor Kelly Miller made sure everything went quickly and smoothly thereafter. Thank you one and all.

Thanks to my colleague Dr. Lisa McClain, director of the gender's studies program at Boise State University for reading and critiquing parts of the manuscript. I am also most grateful for the reviewers who spent considerable time providing me with the benefit of their expertise. I also want to thank Hailey Johnson for her expert indexing of this and other books of mine. She is already a legend for writing the most intellectually courageous thesis ever attempted at Boise State University's Criminal Justice Department—the epigenetics of drug addiction, no less!

Most of all I would like to acknowledge the love and support of my most wonderful and drop-dead gorgeous wife, Grace Jean; aka “Grace the face.” Grace's love and support has sustained me for so long that I cannot imagine life without her; she is a real treasure and the center of my universe.