

Introduction: Critical Criminology for the 21st Century

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We are amid a global pandemic; poverty is rising and the powerful are getting richer through mechanisms that exploit, oppress, and deprive others. Meanwhile, mainstream criminology remains oblivious to this dreadful situation and sticks to micro-studies on regression analysis, street crime desistance and prison control. Before the world collapses, shall we revisit critical criminology (CC) to call attention to structural violences and injustices? How should CC look in the 21st century?

CC was born in the 1970s and achieved an unprecedented global impact. Its contributions appeared in the USA, Europe, and Latin America simultaneously and not only as isolated individual theoretical productions but as the result of networks of scholars seeking to connect their research endeavours with actual social change. The Union of Radical Criminologists in the USA, the National Deviancy Conferences in Europe and the Maracaibo School in Latin America became spaces to think about crime and punishment from a radical perspective and to engage with social movements working on the front line.

Building upon the lessons of the labelling approach, CC proposed to go beyond the traditional boundaries on the study of crime and control to draw a connection between the function of the criminal agencies and the characteristics of the capitalist system of production. From a materialist analysis, critical criminologists started to study the unequal role of penal institutions incorporating the study of broader mechanisms of social control. The intersections among crime, class, race, gender, ethnicity and age and the different responses that marginalised groups received from the criminal justice system were set at the centre of the field.

In *The New Criminology: For a Social Theory of Deviance*, the most well-known work in this trend, Ian Taylor, Paul Walton and Jock Young offered a review of previous criminological thought from a materialistic perspective

and suggested that decades of criminological reflection lacked an actual analysis of the inequality of the criminal justice system and its relation to the social structure. They called for: '[t]he importance of inquiring how far a particular form of political economy, speaking crudely, the Western industrial capitalism, ... has influenced the way of criminal law as we know it, and (more generally) ask what the relations between capitalism and the trappings of "criminal justice" are' (Taylor, Walton and Young 1973, p.176).

With the upsurge of law-and-order policies and neoliberal governments in the 1980s and 1990s, CC declined. Serious objections were raised against this school, including the difficulties of bringing together Marxism and criminology, the absence of proactive proposals to address crime, the diversity of the various theoretical positions, the idealisation of the offender and the lack of empirical work (van Swaaningen 2011, p.9). However, critical criminologists continued expanding their work. Currently, there is a division within the American Society of Criminology and a journal named *Critical Criminology*, while in Europe the Common Study Programme in Critical Criminology and the European Group for the Study of Deviance and Social Control have been developing substantive work for decades. More recently, criminological approaches that adopt at least some aspects of the critical perspective include abolitionism, convict criminology, cultural criminology, feminist criminology, green criminology, indigenous criminology, southern criminology, queer criminology, black criminology, rural criminology, state crime criminology and crimes of the powerful. This special issue is another example of the renewed relevance of the field.

The dissemination of all these schools and perspectives constitutes a source of joy and an incentive for the application of critical thinking to a broad range of relevant topics. However, in this special issue, the goal is to return to a common ground. How can we reinvigorate a joint critical criminological agenda today? What would it look like? Dialectically, as expected, the aim is to revisit the original contributions that gave rise to CC enriched with the multiple perspectives and scholarly productions that have been developed in the last 50 years to reshape them in a more comprehensive, updated, and diverse 21st-Century perspective. This endeavour involves reassessing the 'what' (topics), the 'who' (people) and the 'how' (perspectives).

Topics

Building upon the main challenges that arose in the 1970s and 1980s (Ruggiero), this special issue invites us to go beyond ordinary or street crimes to focus on those perpetrated by the powerful. This includes articles on crimes against nature (Sollund and Kulzer/Pitman/Young), state-corporate crime (Kulzer/Pitman/Young), state crime and authoritarianism (de Carvalho/Matos), state crime against immigration (Tosh), crimes of the powerful (Collins), corporate crime (Simončič) and even racially-based harms by academic institutions (León).

Considering that states rarely criminalise their actions and omissions, the special issue also calls for a CC not limited to those offences receipted

in the criminal codes. Instead, building upon the lessons of zemiology, the aim is to include breaches of international human rights law and internationally customary law and also social harms not formally criminalised, neither at the international nor the national level. Furthermore, the paradox is that harmful behaviours, such as those involved in the fashion industry, are considered as respectful businesses (Simončič), while the legitimate exercise of rights, such as migrating, are labelled as crimes (Tosh). This sheds light on the features of criminal justice systems that systematically under-criminalise the powerful, despite the perpetrated harms, and over-criminalise the vulnerable, even if they are just trying to survive and exercise basic human rights (Vegh Weis 2017). The consequences of these selective dynamics are dreadful and encompass the risk of destroying the planet itself (Sollund).

Because the crimes and harms perpetrated by the powerful do not impact all people equally, attention will be paid to ‘selective victimization’ (Vegh Weis and Magnin 2021). This notion exposes that criminal selectivity does not only encompass the distinctive enforcement of punitive power according to class, gender, race, sexual orientation, religion and ethnicity, but also the distinctive impact of under-criminalised crimes and harms in the lives of marginalised groups. In this regard, the special issue raises the point that in the 21st Century we need to look at the disproportionate selective victimisation of women, diversities, ethnic minorities, and migrants and how the crimes they suffer systematically crush their modest life plans (Collins, León, Tosh, de Carvalho/Matos).

People

CC and criminology in general, particularly in the English-speaking world, has been largely restricted to cis white male scholars writing and thinking from the Global North. A 21st-Century criminology needs to be particularly sensitive to this phenomenon and help raise the voices of those usually unheard, including women, diversities, racial and ethnic minorities, scholars from the Global South and even activists and those personally targeted by the criminal justice systems.

As de Sousa Santos argues, this shall not be a benevolent concession from privileged voices of the North. Instead, the ecology of knowledges (Santos 2014) that results from the dialogue among different contributions and epistemologies is a path towards a more comprehensive and transformative cosmivision that will benefit all. To exemplify, looking outside the Northern box sheds light on the fact that the ‘Maracaibo Manifesto’ written by the network of Latin-American critical criminologists in 1981 pointed out, eight years before Chambliss’s Presidential Address on state crime (Chambliss 1989), that states are the main perpetrators of massive crimes and that the law plays a legitimising role to cover up this phenomenon (see the manifesto in Aniyar de Castro and Codino (2013, pp.271–4)).

In this vein, a prominent member of the Maracaibo School, Raúl Zafaroni, pointed out as early as 1988 that the ‘the highest number of deaths in Latin-America is caused by state agencies’ and that there was an

‘urgent need to approach them from a criminological perspective [which] shall include the study of the *social* dimension of human rights’, going beyond its individual conception (Zaffaroni 1988, p.4, italics in original). This small network included activist-scholars who were themselves targets of state crime. Furthermore, while Northern CC was male dominated, two female criminologists, Lolita Aniyar de Castro, and Rosa del Olmo, were at the forefront of the Latin-American network. The latter conceptualised the ongoing atrocities perpetrated by the repressive regimes that ruled Latin America in the 1960s/1980s (del Olmo 1981). In the 1990s, she also proposed to broaden the concepts of crime and human rights to include root causes inclusive of the burden of the external debt, crimes of omission, the impunity of the crimes of the powerful, and the scope of human rights as central points for a Latin-American.

Language is still a barrier to consider if we aim at including knowledge produced outside the English-speaking world and, unfortunately, this special issue was not successful in achieving this goal. Efforts need to be multiplied to expand the voices of the geographical and demographic South (Vegh Weis 2019) if we aim for a truly 21st-Century global and bottom-up. Better outcomes have been achieved in this special issue in terms of gender equality with a female editor, five male and five female authors, which is unfortunately still not always the case.

Perspectives

A 21st-Century CC cannot be anything else but decolonial (de Carvalho/Matos), transfeminist and intersectional (Collins), green (Sollund, Kulzer/Pitman/Young), anti-punitive (Sollund, Simončič, Tosh), and praxis-oriented (León, Ruggiero). Class, gender, race, geographic location, sexual orientation, ethnicity, religion, age, and other socio-demographic features appear as indispensable factors shaping the crimes and social harms perpetrated, the victims that suffered from them, the functioning of the criminal justice systems and even the media and social perceptions of all that. Acknowledging this reality involves embracing a comprehensive perspective that considers the different dimensions of criminal selectivity (and selective victimisation) while looking outside the punitive box and bridging the gap between theory and praxis towards transformative social change.

Because this ambitious endeavour requires going back to the legacies and lessons of decades of production, this special issue starts with an article by Vincenzo Ruggiero, an inspiring scholar who has been a pillar of, and the one who personally encouraged me to undertake, this compilation. In his article, ‘Concepts for the revitalisation of critical criminology’, Vincenzo Ruggiero inquires what survives of the notions, principles, and values of the 1970s CC. The piece exposes how the context is today dramatically different from the one experienced by those fostering critical approaches to crime and its control five decades ago. Facing this complexity, Ruggiero builds solid bridges between one and another scenario. To do so, the article articulates several concepts in the form of variables (or thematic areas) elaborated or enriched by the first critical criminologists and proposes

how these concepts can be further elaborated through novel critical views of crime and its control.

Because, if we want to have the luxury of keeping on thinking about these endeavours, we cannot forgo a healthy world, the second piece in the special issue is 'Green criminology: its foundation in critical criminology and the way forward' by Ragnhild Sollund. In an appealing personal tone, Sollund resorts to her experiences first as a student and later as a professor of criminology at the University of Oslo to explore how CC has influenced green criminology. Through anecdotes and putting together the rich literature in the field, Sollund exposes how CC, with its focus on the crimes of the powerful, its concern with victims of injustice, and its social harm approach has been a necessary foundation for non-speciesist green criminology.

Of course, when facing green crimes and harms, CC places special attention on the role of state-corporate crime in environmental destruction. In this vein, the third piece is 'Critical criminology: state-facilitated corporate crime, environmental racism, and the Atlantic Coast Pipeline' by Sarah Pedigo Kulzer, Brian Pitman and Stephen T. Young. The article deploys the CC frameworks of environmental racism and state-facilitated corporate crime to analyse a dramatic case study: the Atlantic Coast Pipeline, a 600-mile natural gas pipeline to run from West Virginia to North Carolina in the USA. This work highlights the project's disproportionate social and environmental impact on poor black communities as well as the state's role in facilitating this harmful undertaking.

Following on, and under the aforementioned conviction that CC research cannot be limited to those behaviours that are actually criminalised in statutes, the fourth piece by Katja Simončič explores the role of the fast fashion industry under the lens of zemiology of state-corporate criminology. Entitled 'Fast fashion: a case of social harm and state-corporate crime', the article sheds light on those harms that occur as a consequence of inadequate health and safety working conditions that are yet normalised in the context of neoliberal capitalism. To do so, the concepts of social harm as defined by Pemberton and state-corporate crime by Michalowski and Kramer are put forward.

Particularly ostensible when dealing with fast fashion, but indispensable for the analysis of all state crimes and crimes of the powerful in general, is an intersectional and transgender feminist perspective. That is what Victoria E. Collins lucidly articulates in the fifth piece entitled 'Looking to critical criminology to centre gender and violence against women in state crime studies'. Indeed, Collins is one of the very few scholars who have paid attention to the state as a perpetrator of violence against women and diversities, while she has also succeeded in calling attention to the gender dimensions of the broad variety of state crimes. In this article, she argues for a more integrative approach to the study of state crime/crimes of the powerful to better include other innovative critical criminological approaches such as queer perspectives, rural criminology, and more in-depth race analysis.

Indeed, in line with the proposed intersectional perspective, gender cannot be analysed with the independence of race and ethnicity, which

are in themselves crucial features of criminal selectivity. In this regard, even though racialised systems of formal social control have a long history and are present globally, the US remains a country where this unfairness is even more striking. This is exposed by Kenneth Sebastián León in the sixth piece of the special issue under the title ‘Critical criminology and race: re-examining the whiteness of US criminological thought’. In his scholarship, León sheds light on a specific dimension not always considered: the discrimination against, and the over-criminalisation of, Latinos or brown people, which is particularly extended throughout the Americas. In this article, he provides demographic data on the composition of US criminology and criminal justice research faculty which exposes how they remain as mostly white spaces. Through these undisputable statistics, the article exposes how these demographic snapshots reflect enduring structural barriers to both criminological inquiry and racial equity.

Along with gender and racial barriers, migrants are also a specific target of biased and selective criminal justice systems. Increasing migration responds to climate, war, civil conflict and economic grounds and their analysis constitutes a crucial topic for a 21st-Century CC. In this vein, the seventh piece is ‘Beyond the “criminalisation” of immigrants: critical criminology and the modern deportation regime’ by Sarah Tosh. In this article, she makes the point that, despite a long-standing body of research contradicting stereotypes that link migration with crime, the image of the immigrant as a criminal has routinely been used to buttress punitive policy across the globe – particularly within the past 30 years. The piece demonstrates how the concepts and perspectives of CC are vital to a full understanding of the modern deportation regime built based on the criminogenic framing of migration.

Finally, the special issue ends with a contribution by Salo de Carvalho and Lucas Vianna Matos. Their article, ‘The crisis of the critical criminology crisis in Brazil: epistemological, methodological and political challenges in authoritarian times’, outlines the current state of CC in Brazil as a representative of the more general Latin-American landscape. The authors acknowledge that Latin-American CC has produced significant contributions in the 1980s and poses acute questions about the current deadlock in the field, notably in the face of the advance of a new type of authoritarianism. Organising the debate in epistemological, methodological, and political terms, the article articulates the challenges of criminological criticism in the region and points out strategic avenues for academic critique and emancipatory movements to build unified resistance to authoritarian states.

What then are the core features of a 21st-Century CC? The debate is open and ongoing. From the standpoint of this special issue, the message is that recovering the decades of theoretical and activist development, a CC in and for the 21st Century shall be global and attentive to the particularities and voices of the geographical and demographic South, engaged with social movements pursuing material change on the ground, and focused on the over-criminalisation of the disadvantaged and the under-criminalisation of the powerful. Furthermore, this needs to be done from

an intersectional, green, transfeminist and anti-punitive perspective. Yes, an ambitious agenda to face the challenges of an increasingly unequal and punitive world that, as Marx pointed out two centuries ago, claims to be thought, and changed.¹

Note

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