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Feminist Criminology

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# Introduction

The feminist criminology is a school of thought that has developed in criminology that talks about the fact that how most of the criminology related studies and issues are discussed in the context of the male thought process only (Britton, 2016, p.57). This theory talks about the fact that how there has been general sense of discrimination in a way criminal theory has been talked about and discussed at the moment and why there is a need to make sure that the theories and the research is needed to be done in the manner that allows much more inclusion at this level (Britton, 2016, p.57). One of the things that has been noted in this theory is that how the whole field of the criminology has been dominated by men all this time and the male experience is one of the things that has been focused upon in this regard. As a matter of fact, this theory propagates that how the criminal justice system is also partially loaded in discussion about how men think and perceive crime (Britton, 2016, p.57).

# Theory’s View about the Causes of the Crime

One of the things that is discussed when criminology as a whole is discussed is the fact that how the male domination is witnessed in this regard. There is innate sexism that is built in the criminal theory and criminal research at the moment that does not take into account the fact that how women are also supposed to be facing the same trials and tribulations as compared to a male perpetuator (Britton, 2016, p.57). Then there is a fact that how the attribution of the madness is witnessed in this case where women are considered to be much more lawful as compared to the male citizens and thus making the criminal investigation against them carried out in a much lighter manner (Britton, 2016, p.57). What this theory talks about is that it is very important to understand the notion that acceptable behaviors are not supposed to be changed based on the gender of the person and effort is needed to be made to make sure that some sort of social control is maintained in a sense that allowing the free trial of the female victims is one of the thing that is needed to be roped in to the criminal justice system (Britton, 2016, p.57). The other thing that this whole theory talks about is the how society pumps up men as the more dominant of the more gender and due to that, the standard of the normality that is expected to be witnessed in each of the cases is not being looked after in an appropriate manner (Britton, 2016, p.57). The idea is to ensure that the societal balance is created, and the civil rights constraints are needed to be kept in mind when investigation is made (Britton, 2016, p.57). Not until there is sense of partiality is being eliminated from the criminal justice system, these issues are going to stay the same.

# How Theory Affects the Current Australian Justice System

Now, there is lot of argument with regards to how the handling of the female victims is being made in the current criminal justice system (Chesney et al. 2013, p.304). At the moment, there are two contrasting ideologies that one gets to see as far as the functionality of the Australian Criminal Justice System, the first one is the fact that how the chivalry and the paternalism is being witnessed at all the levels when it comes to this system and how the perception of the female inmates as being victims of the system is being portrayed most of the times (Cain, 2016, p.18). There is a rationale that is being made here in context of the Australian Criminal Justice System is that how the female victims are supposedly treated at the much lighter vein as compared to the male victims (Chesney et al. 2013, p.304). There is an inherent desire among males to protect the weaker gender, and as the gender dynamics and the diversity of the Australian Criminal Justice System is such that the male participants are much more involved during the course of the whole system. What it means is that they are going to be much more lenient towards men. On the other hand, there are large number of people who tend to argue that specially in the case of the civil offences, the female perpetuators are treated much harshly (Humphries, 2016, p.45). The reason for this different treatment stems from the fact that how it emerges that when any offense is being made by the female victims, the general mentality is that how these women are bringing a bad repute to their whole gender (Humphries, 2016, p.45). What it implies one way or the another is that the gender role expectations are quite commonly witnessed in the Australian Criminal Justice System and it is one of the prime reasons that it has been seen that women are being treated at a much more different level as compared to the male victims just due to the perceived difference in the treatment at the particular point of time (Humphries, 2016, p.45). One interesting empirical evidence that has been witnessed in this regard is that how women are supposed to be receiving much less severe punishment, while on the other hand, the female offenders are the one that are much more likely to be the first-time offenders (Messerschmidt, 2018, p.4). There is difference in terms of the way treatment and sentences are being meted out to them. In the hindsight, it is a major issue and there is scope for discussion in this regard (Walsh, 2016, p.46).

# Relevance of the Theory to the Australian Society and Criminal Justice System

Now this is something of an interesting debate. Australian Criminal Justice System has a long history in a sense that how the treatment of the cases or even the criminal cases against women are being carried out (Pepinsky and Quinney, 2017, p.23). There have been many cases in the past where women were being raped and murdered quite brutally. As a matter of fact, the whole crime was carried out in the manner that there was a malicious attempt at the part of the person to ensure that they get to torture the women and murder them with no empathy. One of the reasons that there are so many crimes against the women is due to the fact that the sentence system that is working in Australia at the moment is quite light specially if one talks about the cases pertaining to the domestic violence and sexual abuse (Policastro, 2015, p.89). It is one of the prime reasons that the criminal cases against women are rising and one of the ways through which it can be made sure that the level of control is achieved is to ensure that the Australian Criminal Justice System has to be amended that crimes against women are treated in a serious manner (Smart, 2017, p.7). So definitely it can be said that the issue and the theory have relevance as far as the Australian society is concerned. The other thing that must be taken into account is the fact that the Australian Criminal Justice System is not covering the broader range of possibilities of the female criminality (Renzetti, 2017, p.8).

References

Britton, D.M., 2016. Feminism in criminology: Engendering the outlaw. *The annals of the American academy of political and social science*, *571*(1), pp.57-76.

Cain, M., 2016. Towards transgression: New directions in feminist criminology. *International Journal of the Sociology of Law*, *18*(1), pp.1-18.

Chesney-Lind, M. and Morash, M., 2013. Transformative feminist criminology: A critical re-thinking of a discipline. *Critical Criminology*, *21*(3), pp.287-304.

Humphries, D. ed., 2016. *Women, violence, and the media: Readings in feminist criminology*. Upne.

Messerschmidt, J.W., 2018. *Capitalism, patriarchy, and crime: Toward a socialist feminist criminology*. Totowa, NJ: Rowman & Littlefield.

Pepinsky, H.E. and Quinney, R. eds., 2017. *Criminology as peacemaking*. Bloomington: Indiana University Press.

Policastro, C., 2015. Feminist Theory. *The Encyclopedia of Crime and Punishment*, pp.1-5.

Renzetti, C.M., 2017. *Feminist criminology*. Routledge.

Smart, C., 2017. *Women, Crime and Criminology (Routledge Revivals): A Feminist Critique*. Routledge.

Walsh, A., 2016. *Feminist criminology through a biosocial lens*. Carolina Academic Press.