

1

CULTURAL CRIMINOLOGY: AN INVITATION

In October 2011 at a demonstration organized by the protest movement Occupy, Julian Assange, the controversial Australian activist and long-time editor-in-chief of the whistle-blowing website WikiLeaks, appeared outside the London Stock Exchange in a stylized Guy Fawkes mask. Stark white, with pink cheeks, a wide smile and a rakish moustache, the Guy Fawkes visage has emerged as one of the most enduring icons of the many anarchist and protest groups that have sprung up in the wake of the 2008 financial crisis. The origins of the mask can be traced to the classic 1982 graphic novel *V for Vendetta* – a dark tale of one man’s protest against a futuristic police state based loosely on the infamous Gunpowder Plot of 1605, when Catholic Revolutionaries attempted to overthrow the British Government by blowing up the House of Lords (Sauter, 2012). The anti-authoritarian story struck a chord with protestors, and after *V for Vendetta* was adapted into a movie in 2005, the Fawkes mask emerged as a ubiquitous symbol of contemporary political resistance; not least, it became the ‘face’ of the international hacker group Anonymous. But while the mask served the very practical purpose of hiding protestors’ faces from the pervasive police surveillance that is now such a feature of political demonstrations, it also served the interests of an altogether different cultural group: the executives and shareholders of one of the world’s biggest media conglomerates. As producers of *V for Vendetta*, the media giant Time-Warner owns the rights to the mask’s image and is consequently paid a licensing fee with the sale of each unit. And the mask is big business. According to Harry Beige of Rubie’s Costume, the New York-based costumier who produces the mask, sales are running at over 100,000 a year (Bilton, 2011). To make matters worse, it recently came to light that the masks are manufactured in non-unionized sweatshops in the impoverished backstreets of Brazil and Mexico.

Meanwhile, in Mexico, another clouded cultural relationship takes shape. For decades, the poor of Sinaloa in North West Mexico have paid homage to Jesus Malverde, a legendary ‘Robin Hood’-style bandit who, according to local lore, stole from the rich and gave to the poor before the Federales eventually hanged him in 1909. More recently, however, Jesus Malverde has taken on a new, unofficial role as the patron saint of Mexico’s drug dealers and border traffickers.

Dubbed the 'narco saint' by the Mexican press, Malverde was originally only popular in Sinaloa's capital Culiacán, but in recent years his familiar moustachioed face and black neckerchief have been seen in makeshift shrines everywhere from Tijuana to Mexico City. In the poor neighbourhoods where drug gangs thrive, Malverde has become not just a mythic symbol of crime, but a quasi-religious cult figure. Put simply, Malverde is the figurehead for what is known as 'narco culture' – the celebration and admiration of affluent drug lords and successful traffickers who, through skill or good fortune, beat the odds and avoid arrest. Today, narco culture is a veritable cottage industry which also includes the appropriation of the Mexican folk icon Santa Muerte (Saint Death or Holy Death), 'narco fashion' and the 'Chalinazo' subcultural clothing style, 'narco corrido' music and 'narco ballad' pop songs that recall the criminal exploits of legendary drug bandits (Lippman, 2005), and even a branch of the Mexican movie industry known as 'narco film'. Narco culture is even spreading into the Sun Belt cities of the United States and beyond (Ortiz Uribe, 2011). In Pico Rivera, California, partygoers flock to El Rodeo Night Club, one of many such narco corrido music clubs in the Los Angeles area that are at the forefront of this new form of Mexican-American cultural hybridization. Likewise, in recent years, Los Angeles gang members have started working as film extras in Tijuana's narco gangster movie industry. In all this, the startling truth is that narco culture bespeaks a certain acceptance of drug smuggling as a normal aspect of everyday life in the impoverished neighbourhoods that straddle the US–Mexican border; as one local teacher put it: "To live in Culiacán is to be conversant with the legends of specific "narcotraficantes", whose names are as recognisable as those of great athletes or musicians' (Quinones, 1998: n.p.). And this narco culture is not without its dangerous digital echoes as well. Increasingly, citizens and 'cyber-guardians' use social media like Twitter, and websites and blogs like Wikinarco and Blogdelnarco, to track and warn of drug-related violence. In response, the Mexican authorities have made it a crime to use Twitter to 'undermine public order' or spread rumours, and the drug cartels, 'threatened by the decentralized distribution of the Web', have responded as well – in one case hanging two bodies from a bridge with the sign, 'this will happen to all the Internet snitches' (Cave, 2011: 5).

Each of these cases embodies fundamental issues for cultural criminology. Whether the symbolic dynamics of globalized street protest or the strange hybrid of criminality and religiosity associated with narco culture, both illustrate one of cultural criminology's founding concepts: that *cultural dynamics carry within them the meaning of crime*. Given this, cultural criminology explores the many ways in which cultural forces interweave with the practice of crime and crime control in contemporary society. It emphasizes the centrality of meaning, representation and power in the contested construction of crime – whether crime is constructed as political protest or stylized representation of drug culture,

as ephemeral event or subcultural subversion, as social danger or state-sanctioned violence. In our view, the subject matter of any useful and critical criminology must necessarily move beyond narrow notions of crime and criminal justice to incorporate symbolic displays of transgression and control, feelings and emotions that emerge within criminal events, and public and political campaigns designed to define (and delimit) both crime and its consequences. This wider focus, we argue, allows for a new sort of criminology – a *cultural* criminology more attuned to prevailing conditions, and so more capable of conceptualizing and confronting contemporary crime and crime control. This cultural criminology seeks both to understand crime as an expressive human activity and to critique the perceived wisdom surrounding the contemporary politics of crime and criminal justice.

Thinking about culture and crime

Cultural criminologists understand ‘culture’ to be the stuff of collective meaning and collective identity; within it and by way of it, the government claims authority, the consumer considers advertised products – and ‘the criminal’, as both person and perceived social problem, comes alive. Culture suggests the collective search for meaning, and the meaning of the search itself; it reveals the capacity of people, acting together over time, to animate even the lowliest of objects – the homeless person’s bedroll, the police officer’s truncheon, the gang member’s bandana, the Guy Fawkes mask – with importance and implication.

For us, human culture – the symbolic environment created and occupied by individuals and groups – in this way intertwines with structures of power and inequality. Culture is not simply a product of social class, ethnicity or occupation – it cannot be reduced to a residue of social structure – yet culture doesn’t take shape without these structures, either. Both the cultural prowess of the powerful and the subcultures of acquiescence or resistance invented by the less powerful shape, and are shaped by, existing forms of patterned inequality. Cultural forces, then, are those threads of collective meaning and understanding that wind around the everyday troubles of social actors, animating the situations and circumstances in which their troubles play out. And for all the parties to everyday crime and criminal justice – for perpetrators, police officers, victims, parole violators and news reporters – *the negotiation of cultural meaning intertwines with the immediacy of criminal experience.*

As early work on ‘the pains of imprisonment’ demonstrated, for example, the social conditions and cultural dynamics of imprisonment form a dialectical relationship, with each forming and reforming the other. While all inmates experience certain pains of imprisonment, the precise extent and nature of these

pains emerge from various cultures of class, gender, age and ethnicity – that is, from the lived meanings of the social lives that inmates bring with them to the prison. And yet these particular pains, given meaning in the context of pre-existing experiences and collective expectations, in turn shape the inmate cultures, the shared ways of life, that arise as inmates attempt to surmount the privations of prison life (Young, 1999; Fader, 2013). Facing common troubles, confronting shared circumstances, prison inmates and prison guards – and, equally so, street muggers, corporate embezzlers and criminal lawyers – draw on shared understandings and shape new ones, thereby investing troubles and their solutions with human agency.

As regards this human agency, cultural criminology builds from a foundational understanding as to the creativity of human action. From this view, people and their social groups create cultural meanings and craft their own cultural perspectives, albeit in a moral and material world not of their own making. To paraphrase Marx, they may not make their own history just as they please, but they do make history. Human behaviour is shaped by the actors themselves; it is not merely the unfolding of preordained essences somehow encoded in DNA sequences, psychoanalytical tendencies or the causal effects of a broken home or childhood trauma. Rather, moral careers are contingent on the present, with the past holding sway mostly to the extent that powerful actors reinforce notions of a fixed self and powerless subjects come to accept these narratives. Motives are, in this sense, cultural products – shared accounts and creative accomplishments – not simply individual essences revealed. In a hyper-plural society where a multitude of vocabularies of motive (Mills, 1940) circulate, individuals and groups may in fact pick among them – not willy-nilly, of course, but in relationship to their perceived problems. The individual self certainly remains, but less as an isolated entity and more as a centre of the human construction of meaning in a world riven by a plurality of options. To postulate that human beings operate as narrative creators, constantly writing and rewriting their personal stories, does not imply a lack of unity of the self, but rather the self as a unique constellation of constructed meanings (Presser and Sandberg, 2015).

Of course, none of this ongoing human creativity rules out dangerous or destructive meanings, bad faith decisions, or past decisions that over time take on the reified, mechanistic power of habituation. Nor does it preclude the common and dangerous human predicament of ontological insecurity, where various groups or sectors within the population come to sense that their social status is threatened and their identity disembedded. One cultural response to this problem is the process of ‘othering’, with actors actively embracing narratives about themselves and other groups that *deny* human creativity and imagine a world preordained and fated. Through othering, essentialist attributes are projected onto another and onto oneself so as to justify privilege and to stem feelings of deep insecurity. Ironically, this cultural strategy operates so as to erase

culture itself. It promises fixed, essentialist lines of orientation in a late-modern world of increasing complexity and disorientation; seeming to guarantee set structures of superiority and inferiority, as encoded in binaries of gender or race, it is a guard against the vertigo of late modernity (J. Young, 2007).

A particularly potent version of this dynamic centres on crime and deviance; here the essentially 'normal' is contrasted with the inherently 'deviant', and the law-abiding cleanly set apart from the criminal. Here, virtue is contrasted with vice – and 'their' vice is seen to corroborate 'our' virtue. Such a process of othering allows vice to be seen as a lack of culture – that is, as a lack of values and assimilation into the moral order – and frequently this view forms the basis of a determinism that is presumed to propel the deviant actor. Layered onto this dynamic are social-psychological processes which add intensity and passion to the process of othering. Chief among these is a sense of moral outrage and indignation towards those others who are seen as cheating the rules of responsibility, sacrifice and reward. According to this cultural construction, 'deviants' live on the dole or irresponsibly parent children outside of marriage, while 'virtuous' citizens in contrast embrace their economic responsibilities and attend to their civic duties. This essentialist dichotomy is in turn exacerbated in situations where 'deviants' from immigrant groups or the underclass are seen as directly causing problems for the virtuous. Importantly, cultural criminologists argue that these psychodynamics are not determined by an individual's psychoanalytical past (e.g. Gadd and Jefferson, 2007) but instead result from current problems and pressures percolating in particular parts of the social structure. Amidst the current economic crisis, for example, corporate downsizing, the deskilling of work and chronic job insecurity are critical social problems in their own right – but when they are mixed with mistaken beliefs about their causes and racially charged ideologies of othering and essentialism, they can produce intensities of violent misperception that redouble their dangerous consequences. For cultural criminologists, then, psychosocial criminology operates most insightfully when existentially based and when grounded in the present structural and cultural problems of late modernity.

This shifting relationship between cultural negotiation, individual experience and social problem affirms another of cultural criminology's principal assumptions: that while crime and deviance constitute more than the simple enactment of essentialist traits, they constitute more than the enactment of a static group culture as well. Put simply, cultural criminologists understand culture to be not a product but a process – the sort of process through which Jesus Malverde's identity can continue to shift a century after his death. Here, cultural criminologists take issue with the tradition of cultural conflict theory, as originated with the work of Thorsten Sellin (1938) and as highlighted in the well-known subcultural formulation of Walter Miller (1958), where crime largely constitutes the enactment of lower working-class values. While such approaches do take note of

'the cultural', they do so in ways that tend to be simplistic and reductionist; Sellin's original formulation suggested that vengeance and vendetta among Sicilian immigrants led to inevitable conflict with wider American values. The danger of this approach can be seen today in, for example, the supposition that multiculturalism generates ineluctable cultural collisions. Yet, as we will argue, and as cultural criminologists like Frank Bovenkerk, Dina Siegel and Damian Zaitch (2003; Bovenkerk and Yesilgoz, 2004) have well demonstrated, cultures – ethnic and otherwise – exist as neither static entities nor collective essences. Rather, cultural dynamics remain in motion; collective cultures offer a heterogeneous *mélange* of symbolic meanings that blend and blur, cross boundaries real and imagined, conflict and coalesce according to dynamics of power and influence, and hybridize with changing circumstances. To imagine, then, that an ethnic culture maintains some ahistorical and essential tendency to crime (or conformity) is no cultural criminology; it's a dangerous essentialism, stereotypical in its notion of cultural stasis and detrimental to understanding the intricate dynamics that connect culture and crime.

In *Culture as Praxis*, Zygmunt Bauman (1999: xvi–xvii) catches something of this cultural fluidity and complexity. There he distinguishes two ways of thinking about culture, longstanding and seemingly diametrically opposed. The first conceptualizes 'culture as the activity of the free roaming spirit, the site of creativity, invention, self-critique and self-transcendence', suggesting 'the courage to break well-drawn horizons, to step beyond closely-guarded boundaries'. As we'll discuss further in the following chapter, culture of this first sort fits most easily into the tradition of subcultural theory as developed by Albert Cohen (1955) and others, where deviant or delinquent subcultures create collective responses to social inequality. Here, culture suggests the collective vitality of subversive social praxis, and the creative construction of transgression and resistance; in this sense, the illicit self-inventions of an outsider subculture can at times symbolically stand the social order on its head. As Bauman suggests, though, a second way of thinking about culture understands it as just the opposite: 'a tool of routinization and continuity – a handmaiden of social order', a symbolic universe that stands for 'regularity and pattern – with freedom cast under the rubric of "norm-breaking" and "deviation"'. Culture of this second sort is more the province of orthodox social anthropology, of Parsonian functionalism and of post-Parsonian cultural sociology. For these orientations, culture is the stuff of collective cohesion, the Durkheimian glue of social order and preservative of predictability, the *soi-distant* support of social structure. And if for the first conception of culture transgression signals meaningful creativity, for the second, transgression signifies the very opposite: an absence of culture, an anomic or even atavistic failure of socialization into collective meaning. For cultural criminologists, though, the two ways of understanding culture are not irreconcilable; both highlight the collective construction of shared meaning, if in different

domains, and both suggest the ongoing, contested negotiation of morality and cultural identity. For some, this negotiation calls forth a collective *belief* in tradition, an emotional embracing of stasis and conformity, and the ideological mobilization of rigid stereotype and fundamental value. For others, it calls forth against this conformity a gnawing *disbelief* in the social order itself, and so a willingness to risk inventing collective alternatives. For cultural criminologists, both are of interest – and the moments when the two collide around issues of crime and justice form a significant subject matter for cultural criminology itself.

A cultural criminology that foregrounds human agency and human creativity, then, does not ignore those cultural dynamics that sometimes involve their renunciation. People, as David Matza (1969) famously pointed out, always have the capacity to transcend even the most dire of circumstances – but they also have the capacity to act ‘as if’ they are puppets unable to transcend the social order at all. If, in Dwight Conquergood’s (1991) wonderful phrase, we are to view culture as a verb rather than as a noun, as an unsettled process rather than a *fait accompli*, then we must remember that this verb can take both the passive and the active tense. Culture suggests a sort of shared public performance, a process of public negotiation – but that performance can be one of acquiescence or rebellion, that negotiation one of violent conflict or considered capitulation. In this sense, cultural criminology, by the very nature of its subject matter, occupies a privileged vantage point on the everyday workings of social life. Its twin focus on culture and crime positions it at precisely those points where norms are imposed and threatened, laws enacted and broken, rules negotiated and renegotiated. Such a subject matter inevitably exposes the ongoing tension between cultural maintenance, cultural disorder and cultural regeneration – and so from the view of cultural criminology, the everyday actions of criminals, police officers and judges offer not just insights into criminal justice, but important glimpses into the very process by which social life is constructed and reconstructed. As we will see, this subject matter in turn reveals the complex, contested dynamic between cultures of control – that is, control agencies’ downwards symbolic constructions of crime and deviance – and cultures of deviance and transgression whereby rule breakers construct their own alternative meanings upwards.

Cultural criminology old and new

Talk of culture, subculture and power evokes the rich tradition of subcultural theorization within criminology – and certainly cultural criminology draws deeply on subcultural research, from the early work of the Chicago School to the classic delinquency studies of the British Birmingham School. Likewise, cultural criminology is greatly influenced by the interactionist tradition in criminology

and the sociology of deviance, as embodied most dramatically in labelling theory, and as taken up in the 1960s at the London School of Economics. Labelling theories, and the broader symbolic interactionist framework, highlight the conflicts of meaning that consistently animate crime and deviance; they demonstrate that the reality of crime and transgression exists as a project under cultural construction, a project emerging from ongoing negotiations of authority and reputation. In fact, these and other intellectual traditions are essential to the development of cultural criminology – and the following chapter will explore how cultural criminology represents perhaps their culmination and reinvention.

Yet, in addressing the question of ‘whether cultural criminology really does represent a new intellectual endeavour rather than a logical elaboration of previous work on deviant subcultures’ (O’Brien, 2005: 600; Spencer, 2011), we would firmly answer for the former. Cultural criminology actively seeks to dissolve conventional understandings and accepted boundaries, whether they confine specific criminological theories or the institutionalized discipline of criminology itself. In our view, for instance, existing subcultural and interactionist perspectives only gather real explanatory traction when integrated with historical and contemporary criminologies of power and inequality. Likewise, cultural criminology is especially indebted to theories of crime founded in the phenomenology of transgression (eg. Katz, 1988; Lyng, 1990; Van Hoorebeeck, 1997) – yet, here as well, our goal is to develop these approaches by situating them within a critical sociology of contemporary society (Ferrell, 1992; O’Malley and Mugford, 1994; Hayward, 2004).

Moreover, cultural criminology consciously moves beyond these orientations in sociology and criminology; as later chapters will show, it incorporates perspectives from social theory, urban studies, media studies, existential philosophy, cultural and human geography, anthropology, social movements theory – even from the historical praxis of earlier political agitators like the Wobblies and the Situationists. As much as cultural criminology seeks to ground itself in the best of existing criminology and sociology, it seeks also to reinvigorate the study of crime by integrating a host of alternative perspectives. Our intention is to continue turning the intellectual kaleidoscope, looking for new ways to see crime and the social response to it.

This strategy of reinvigoration is as much historical as theoretical; if we are to engage critically with the present crisis in crime and crime control, intellectual revivification is essential. Many of the perspectives just noted were forged from existing orientations during the political fires of the 1960s and 1970s, or in other cases out of the early twentieth-century blast furnace of industrial capitalism and working class upheaval. Developing what was to become labelling theory, for example, Becker (1963: 181) disavowed his work being anything more than the existing ‘interactionist theory of deviance’ – and yet his revitalized interactionist theory resonated with the uncertainties and inequalities of the

1960s, rattled the foundations of 'scientific' criminology and softened up criminology for still other radical remakings. So it is with cultural criminology today. We're not at the moment organizing the 1912 Lawrence cotton mills with the Wobblies or plastering Paris 1968 with Situationist slogans; we're working to make sense of contemporary conditions, to trace the emergence of these conditions out of those old fires and furnaces and to confront a new world of crime and control defined by the manufactured image, the constant movement of meaning and the systematic exclusion of marginal populations and progressive possibilities. To do so, we're pleased to incorporate existing models of criminological critique – but we're just as willing to reassemble these and other intellectual orientations into a new *mélange* of critique that can penetrate the well-guarded façades of administrative criminology, the shadowy crimes of global capitalism and the everyday realities of criminality today.

Crucial to cultural criminology, then, is a critical understanding of current times, which, for want of a better term, we'll call *late modernity*. Chapter 3 will provide a fuller sense of late modernity and of cultural criminology's response to it. For now, we'll simply note that cultural criminology seeks to develop notions of culture and crime that can confront what is perhaps late modernity's defining trait: a globalized world always in flux, awash in marginality and exclusion, but also in the ambiguous potential for creativity, transcendence, transgression and recuperation. As suggested earlier, human culture has long remained in motion – yet this motion today seems all the more moving and all the more meaningful. In late modernity, the insistent emphasis on expressivity and personal development, and the emergence of forces undermining the old constants of work, family and community, together place a premium on cultural change and personal reinvention. Couple this with a pluralism of values spawned by mass immigration and global conflict, and with the plethora of cultural referents carried by the globalized media, and uncertainty is heightened. Likewise, as regards criminality, the reference points which give rise to relative deprivation and discontent, the vocabularies of motive and techniques of neutralization deployed in the justification of crime, the very *modus operandi* of the criminal act itself, all emerge today as manifold, mediated, plural and increasingly global. And precisely the same is true of crime as public spectacle: experiences of victimization, justifications for punitiveness, and modes of policing all circulate widely and ambiguously, available for mediated consumption or political contestation.

Under such conditions, culture operates less as an entity or environment than as an uncertain dynamic by which groups large and small construct, question and contest the collective experience of everyday life. Certainly, the meaningful moorings of social action still circulate within the political economy of daily life, and in the context of material setting and need – and yet, loosened in time and space, they circulate in such a way as to confound, increasingly, the economic and the symbolic, the event and the image, the heroic and the despicable. If the

labelling theorists of a half-century ago glimpsed something of the slippery process by which deviant identity is negotiated, how much more slippery is that process now, in a world that cuts and mixes racial profiling for poor suspects, pre-paid image consultants for wealthy defendants and televised crime personas for general consumption? If the subcultural theorists of the 1950s and 1960s understood something of group marginalization and its cultural consequences, what are we to understand of such consequences today, when globalized marginalization intermingles with crime and creativity, when national authorities unknowingly export gang cultures as they deport alleged gang members (Brotherton, 2011), when criminal subcultures are packaged as mainstream entertainment?

All of which returns us to contemporary phenomena like those Mexican drug gangs and British street protesters noted earlier, their violent images and symbols of resistance circling the globe by way of websites, news coverage and alternative media. In the next section, we consider some other contemporary confluences of culture and crime, focusing especially on the late-modern meanings of violence. In the chapter's final section, we explore politics and political conflict. There we'll make clear that we seek to revitalize political critique in criminology, to create a contemporary criminology – a cultural criminology – that can confront systems of control and relations of power as they operate today. There we'll hope to make clear another of cultural criminology's foundational understandings: that to explore cultural dynamics is to explore the dynamics of power – and to build the basis for a cultural *critique* of power as well.

Meaning in motion: violence, power and war

Amidst the fluid ambiguity of this late-modern world, violence might, at first glance, seem one of the few subjects of criminological inquiry whose solidity has not melted into air. Violence seems grounded in physicality and in the physics of force, damage and destruction. We know violence and its sad consequences when we see them: a human's body battered, a building broken into, an automobile wrecked. Certainly, violence may be interpersonal, a matter of one person physically dominating another, but it hardly seems the stuff of cultural uncertainty and mediated meaning. Yet, in the face of such physical violence, and its pervasive occurrence across many categories of crime, cultural criminologists like ourselves make a startling claim: violence is never only, perhaps never even primarily, physical. The dynamics of its occurrence and the damage that it causes are innately symbolic and interpretive – and this crucial process of symbolism and interpretation often continues long after the physicality of violence has ceased. As we see it, physical violence may start and stop, but its

meaning continues to circulate. It also seems to us that most violence, maybe all interpersonal violence, involves drama, presentation and performance – especially dangerously gendered performance (Butler, 1999; Miller, J., 2001) – as much as it does bruises and blood. So, if we hope to confront the politics of violence – that is, to understand how violence works as a form of power and domination, to empathize with the victimization that violence produces and to reduce its physical and emotional harm – we must engage with the *cultures* of violence. Even this most direct of crimes – flesh on flesh, bullets and bodies – is not direct at all. It's a symbolic exchange as much as a physical one, an exchange encased in immediate situations and in larger circumstances; an exchange whose meaning is negotiated before and after the blood is spilt.

Sometimes such violence is even performed for public consumption, and so comes to circulate as entertainment. A televised pay-per-view title fight, for example, can be thought of as a *series* of performances and entertainments: before the fight, with the press conferences, television commercials and staged hostilities of the weigh-in; during the fight itself, with the ring rituals of fighter introductions, ringside celebrities and technical knockouts; and after the fight, with the press coverage, the slow-motion replays of punches and pain, and interviews with winner and loser. If a boxing commission inquiry happens to follow, or if a 'moral entrepreneur' (Becker, 1963) decides later to launch a crusade against pugilistic brutality, another series of performances may unfold – and another series of meanings. Now the fight's entertainment will be reconsidered as a fraud, or a fix, or as evidence of what used to be called 'man's inhumanity to man'. Now other press conferences will be staged, other moments from the fight rebroadcast in slow motion, and all of it designed to go another round in staging the fight and its implications. The immediate, vicious physicality of violence now elongates and echoes through video footage, legal charges and public perception. As it does, the linear sequencing of cause and effect circles back on itself, such that images of a physical altercation can come to be seen as crime, as evidence of crime, as a catalyst for later crime, even as the imitative product of existing mediated crime.

With the democratization of digital media, it's not only televised big-market violence that invokes this complex cultural dynamic; the proliferation of do-it-yourself fight videos – street fights, gang fights, 'bum fights' – call it into play as well. The widespread marketing and sale of these videos by way of digital media reveal the sort of pervasive leisure-time violence that Simon Winlow and Steve Hall (2006) have documented among young people who are increasingly excluded from meaningful work or education. They offer direct evidence of media technology's seepage into the practice of everyday life, such that kids can now stage and record, for good or bad, elaborate images of their own lives. Most troubling, they suggest the in-the-streets interplay between a mean-spirited contemporary culture of marketed aggression, an ongoing sense of manliness defined by machismo,

violence and domination, and a world pervaded by cell phones and their cameras. Hunter S. Thompson (1971: 46) once said of a tawdry Las Vegas casino that it was 'what the whole ... world would be doing on Saturday night if the Nazis had won the war'. Yeah, that, and brutalizing each other on camera, uploading the image, selling it for a profit and watching it for entertainment.

Other sorts of violence demonstrate other dimensions of culture, power and inequality. As feminist criminologists have shown, domestic violence against women explodes not only out of angry situations, but emerges from longstanding patterns of interpersonal abuse and gendered expectation, and from the pernicious cultural logic by which men can somehow imagine that physical violence confirms their own possessive identities. As we'll discuss further in later chapters, various contemporary forms of violence as entertainment – prime-time police dramas, extreme fighting, war footage – each invoke particular social class preferences and political economies of profit, offering different sorts of flesh for different sorts of fantasies. As we'll also see, knuckles bruised and bloodied in pitched battles between striking factory workers and strike-breaking deputy sheriffs suggest something of the structural violence inherent in class inequality; so too do the knuckles of young women bloodied amidst the frantic work, the global assembly-line madness, of a maquiladora or south China toy factory (Redmon, 2015). As Mark Hamm (1995) has documented, young neo-Nazi skinheads, jacked up on beer and white power music and mob courage, write their own twisted account of racism as they beat down an immigrant on a city street or bloody their knuckles while attacking a gay man outside a suburban club.

Significantly for a cultural criminology of violence, episodes like these don't simply represent existing inequalities or exemplify arrangements of power; they *reproduce* power and inequality, encoding it in the circuitry of everyday life. Such acts are *performances* of power and domination, offered up to various audiences as symbolic accomplishments. A half-century ago, Harold Garfinkel (1956: 420) suggested that there existed a particular sort of 'communicative work ... whereby the public identity of an actor is transformed into something looked on as lower in the local scheme of social types', and he referred to this type of activity as a 'degradation ceremony'. Violence often carries this sort of communicative power; the pain that it inflicts is both physical and symbolic, a pain of public degradation and denunciation as much as physical domination. And in this sense, once again, it is often the *meaning* of the violence that matters most to perpetrator and victim alike. A wide and disturbing range of violent events – neo-Nazi attacks, fraternity hazing rituals, gang beat-downs, terrorist bombings and abduction videos, public hangings, domestic violence, sexual assaults, war crimes – can be understood in this way, as forms of ritualized violence designed to degrade the identities of their victims, to impose on them a set of unwanted meanings that linger long after the physical pain fades. To understand violence as 'communicative work', then, is not to minimize its physical harm or to

downgrade its seriousness, but to recognize that its harms are both physical and symbolic, and to confront its terrible consequences in all their cultural complexity.

So violence can operate as image or ceremony, can carry with it identity and inequality, can impose meaning or have meaning imposed upon it – and in the contemporary world of global communication, violence can ebb and flow along long fault lines of war, terror and ideology. Among the more memorable images from the US war in Iraq, for example, are those photographs of prisoner abuse that emerged from Abu Ghraib prison in 2003–2004. Perhaps you still remember them: the hooded figure standing on a box with wires running from his hands, the pile of men with Lynndie England leering and pointing down at them, the prisoner on the leash held by England. If you remember, it's because those photographs have been so widely circulated as to become part of our shared cultural stockpile of image and understanding (see Carrabine, 2011). But before we go any further, a question: Do you remember whether a US soldier at Abu Ghraib ever sodomized a prisoner, murdered a prisoner, raped a prisoner? These things may well have happened, but if we've seen no photographic evidence of them, then they won't seem – can't seem – as real or as meaningful to us as those acts that were photographed. And so the suspicion arises: Was the 'problem' at Abu Ghraib the abuse or the photographs of the abuse? And if those photographs of abuse had not been taken and circulated, would Abu Ghraib exist as a contested international symbol, a public issue, a crime scene and the scene of a massive breakout in 2013 that freed senior al-Qaida leaders and hundreds of others – or would a crime not converted into an image be, for many, no crime at all (Hamm, 2007a)?

Those photos that *were* taken have certainly remained in motion since they were first staged, spinning off all manner of effects and implications along the way – including widespread imitation and digital recording of the 'Lynndie England pose', sometimes referred to as 'pulling a Lynndie'. Those photos didn't just capture acts of aggressive violence; they operated, as Garfinkel would argue, as a system of ritualized degradation in the prison and beyond, exposing and exacerbating the embarrassment of the prisoners, recording it for the amusement of the soldiers and eventually disseminating it to the world. For the prisoners and the soldiers alike, the abuse was as much photographic as experiential, more a staged performance for the camera than a moment of random violence. The responses of those outraged by the photos in turn mixed event, emotion and image: on the walls of Sadr City, Iraq, a painting of the hooded figure, but now wired to the Statue of Liberty for all to see; and in the backrooms of Iraqi insurgent safe houses, staged abuses and beheadings, meant mostly for later broadcast on television and the Internet (Ferrell et al., 2005: 9). And were we to reproduce those photos here – which we won't – the photos would be put in motion again, but in what direction? Toward educational edification, or the further objectification and degradation of those involved, now reduced to textbook illustration?

For those US soldiers who took the Abu Ghraib photographs, there was yet another sort of culture of the image: a sense that cell phone cameras, digital photographs emailed instantaneously home, self-made movies mixing video footage and music downloads, all seem normal enough, whether shot in Boston or Baghdad, whether focused on college graduation, street fights or prisoner degradation. Here, we see even the sort of ‘genocidal tourism’ that cultural criminologist Wayne Morrison (2004a) has documented – where World War II German police reservists took postcard-like photographs of their atrocities – reinvented in an age of instant messaging and endless image reproduction. And like street fight video makers, we now see soldiers, insurgents and jihadi terrorists who produce their own images of violence, find their own audiences for those images and interweave image with physical conflict itself.

Violence, it seems, is never only violence. It emerges from inequities both political and perceptual, and accomplishes the symbolic domination of identity and interpretation as much as the physical domination of individuals and groups. Put in rapid motion, circulating in a contemporary world of fight videos and newscasts, images of violence double back on themselves, emerging as crime or evidence of crime, confirming or questioning existing arrangements. From the view of cultural criminology, there is a *politics* to every moment of violence – to every eruption of domestic violence or ethnic hatred, to every body broken for war or profit or entertainment, to every nose bloodied in newspaper photos and Internet clips. As the meaning of violence continues to coagulate around issues of identity and inequality, the need for a *cultural* criminology of violence, and in response a cultural criminology of social justice, continues too.

The politics of cultural criminology

If ever we could afford the fiction of an ‘objective’ criminology – a criminology devoid of moral passion and political meaning – we certainly cannot now, not when every act of violence leaves marks of mediated meaning and political consequence. The day-to-day inequalities of criminal justice, the sour drift towards institutionalized meanness and legal retribution, the ongoing abrogation of human rights in the name of ‘counter-terrorism’ and ‘free trade’ – all carry criminology with them, willingly or not. Building upon existing inequalities of ethnicity, gender, age and social class, such injustices reinforce these inequalities and harden the hopelessness they produce. Increasingly crafted as media spectacles, consistently masked as information or entertainment, the inequitable dynamics of law and social control remain essential to the maintenance of political power, and so operate to prop up the system that produces them.

In such a world, there's no neat choice between political involvement and criminological analysis – only implications to be traced and questions to be asked. Does our scholarship help maintain a fraudulently 'objective' criminology that distances itself from institutionalized abuses of power, and so allows them to continue? Does criminological research, often dependent on the good will and grant money of governmental agencies, follow the agendas set by these agencies, and so grant them in return the sheen of intellectual legitimacy? By writing and talking mostly to each other, do criminologists absent themselves from public debate, and so cede that debate to politicians and pundits? Or can engaged, oppositional criminological scholarship perhaps help move us towards a more just world? To put it bluntly: What is to be done about domestic violence and hate crime, about fight videos and prison torture – and about the distorted images and understandings that perpetuate these practices as they circulate through the capillaries of popular culture?

We've already suggested part of the answer: critical engagement with the flow of meaning that constructs late-modern crime, in the hope of turning this fluidity towards social justice. In a world where, as Stephanie Kane (2003: 293) says, 'ideological formations of crime are packaged, stamped with corporate logos, and sent forth into the planetary message stream like advertising', our job must be to divert the stream, to substitute hard insights for advertised images. Later chapters will discuss this strategy of cultural engagement in greater depth, but first we turn to an issue that underlies it: the relationship of crime, culture and contemporary political economy.

Capitalism and culture

For us, that issue is clear: unchecked global capitalism must be confronted as the deep dynamic from which spring many of the ugliest examples of contemporary criminality. Tracing a particularly expansionist trajectory these days, late-modern capitalism continues to contaminate one community after another, shaping social life into a series of predatory encounters and saturating everyday existence with criminogenic expectations of material convenience (Hedges, 2009). All along this global trajectory, collectivities are converted into markets, people into consumers, and experiences and emotions into products. So steady is this seepage of consumer capitalism into social life, so pervasive are its crimes – both corporate and interpersonal – that they now seem to pervade almost every situation.

That said, it's certainly not our contention that capitalism forms the essential bedrock of all social life or of all crime. Other wellsprings of crime and inequality run deep as well; late capitalism is but a shifting part of the quagmire of patriarchy, racism, militarism and institutionalized inhumanity in which we're currently caught. To reify 'capitalism', to assign it a sort of foundational timelessness, is to grant it a status it doesn't deserve. Whatever its contemporary power,

capitalism constitutes a trajectory, not an accomplishment, and there are other trajectories at play today as well, some moving with consumer capitalism, others moving against and beyond it. Still, as the currently ascendant form of economic exploitation, capitalism certainly merits the critical attention of cultural criminology.

And yet, even as we focus on this particular form of contemporary domination and inequality, we are drawn away from a simple materialist framework and towards a cultural analysis of capitalism and its crimes. For capitalism is essentially a *cultural enterprise* these days; its economics are decisively cultural in nature. Perhaps more to the point for criminology, contemporary capitalism is a system of domination whose economic and political viability, its crimes and its controls, rest precisely on its cultural accomplishments. Late capitalism markets lifestyles, employing an advertising machinery that sells need, affect and affiliation as much as the material products themselves. It runs on service economies, economies that marginalize workers while packaging privilege and manufacturing experiences of imagined indulgence. Even the material fodder for all this – the cheap appliances and seasonal fashions – emerges from a global gulag of factories kept well hidden behind ideologies of free trade and economic opportunity. This is a capitalism founded not on Fordism, but on the manipulation of meaning and the seduction of the image; it is a cultural capitalism. Saturating destabilized working-class neighbourhoods, swirling along with mobile populations cut loose from career or community, it is particularly contagious; it offers the seductions of the market where not much else remains.

As much as the Malaysian factory floor, then, *this* is the stuff of late capitalism and so the contested turf of late modernity. If we're to do our jobs as criminologists – if we're to understand crime, crime control and political conflict in this context – it seems we must conceptualize late capitalism in these terms. To describe the fluid, expansive and culturally charged dynamics of contemporary capitalism is not to deny its power but to define it; it is to consider current conditions in such a way that they can be critically confronted. From the Frankfurt School to Fredric Jameson (1991) and beyond, the notion of 'late capitalism' references many meanings, including for some a fondly anticipated demise – but among these meanings is surely this sense of a capitalism quite thoroughly transformed into a cultural operation, a capitalism inexplicable outside its own representational dynamics (Harvey, 1990; Hayward, 2004).

The social classes of capitalism have likewise long meant more than mere economic or productive position – and under the conditions of late capitalism this is ever more the case. Within late capitalism, social class is experienced, indeed constituted, as much by affective affiliation, leisure aesthetics and collective consumption as by income or employment. The cultural theorists and 'new criminologists' of the 1970s first began to theorize this class culture and likewise began to trace its connection to patterns of crime and criminalization. As they revealed, and as we have continued to document (Hayward, 2001, 2004; Young, 2003),

predatory crime within and between classes so constituted often emerges out of *perceptions* of relative deprivation, other times from a twisted allegiance to consumer goods considered essential for class identity or class mobility (Hall et al., 2008). And yet, even when so acquired, a class identity of this sort remains a fragile one, its inherent instability spawning still other crimes of outrage, transgression or predation. If crime is connected to social class, as it surely is, the connective tissue today is largely the cultural filaments of leisure, consumption and shared perception.

Crime, culture and resistance

In the same way that cultural criminology attempts to conceptualize the dynamics of class, crime and social control within the cultural fluidity of contemporary capitalism, it also attempts to understand the connections between crime, activism and political resistance under these circumstances. Some critics argue that cultural criminology in fact remains too ready to understand these insurgent possibilities, confounding crime and resistance while celebrating little moments of illicit transgression. For such critics, cultural criminology's focus on everyday resistance to late capitalism presents a double danger, minimizing the real harm done by everyday crime while missing the importance of large-scale, organized political change. Martin O'Brien, for example, suggests that 'cultural criminology might be best advised to downgrade the study of deviant species and focus more attention on the generically political character of criminalization' (2005: 610; see also Howe, 2003; Ruggiero, 2005). Steve Hall and Simon Winlow (2007: 83–4) likewise critique cultural criminology's alleged tendency to find 'authentic resistance' in every transgressive event or criminal subculture, and dismiss out of hand forms of cultural resistance like 'subversive symbol inversion' and 'creative recoding' that cultural criminologists supposedly enjoy finding among outlaws and outsiders.

In response, we would note that cultural criminology doesn't simply focus on efflorescences of resistance and transgression; it also explores boredom, repetition, everyday acquiescence and other mundane dimensions of society and criminality (e.g. Ferrell, 2004a; Yar, 2005; Bengtsson, 2012; Steinmetz, 2015). Cultural criminology's attention to meaning and micro-detail ensures that it is equally at home explaining the monotonous routines of DVD piracy or the dulling trade in counterfeit 'grey' automotive components as it is the *sub rosa* worlds of gang members or graffiti artists. As cultural criminologists, we seek to understand all components of crime: the criminal actor, formal and informal control agencies, victims and others. In this book's later chapters, for example, we develop cultural criminology's existing focus on the state. For cultural criminology, attention to human agency means paying attention to crime and crime control, to emotion and rationality, to resistance and submission.

Then again, if you're a cultural criminologist, you might also pay particular attention to the ways in which new terms of legal and political engagement emerge from the fluid cultural dynamics of late modernity and late capitalism. To summarize some cultural criminological studies in crime and resistance: when gentrification and 'urban redevelopment' drive late capitalist urban economies, when urban public spaces are increasingly converted to privatized consumption zones, graffiti comes under particular attack by legal and economic authorities as an aesthetic threat to cities' economic vitality. In such a context, legal authorities aggressively criminalize graffiti, corporate media campaigns construct graffiti writers as violent vandals and graffiti writers themselves become more organized and politicized in response. When consumer culture and privatized transportation conspire to shape cities into little more than car parks connected by motorways, bicycle and pedestrian activists create collective alternatives and stage illegal public interruptions. When late capitalist consumer culture spawns profligate waste, trash scroungers together learn to glean survival and dignity from the discards of the privileged, and activists organize programmes to convert consumer 'trash' into food for the homeless, clothes for illegal immigrants and housing for the impoverished. When the same concentrated corporate media that stigmatizes graffiti writers and trash pickers closes down other possibilities of local culture and street activism, a micro-radio movement emerges – which is aggressively policed by local and national authorities for its failure to abide by regulatory standards designed to privilege concentrated corporate media (Ferrell, 1996, 2001/2, 2006a).

In all of these cases, easy dichotomies don't hold. These aren't matters of culture or economy, of crime or politics; they're cases in which activists of all sorts employ subversive political strategies – that is, various forms of organized cultural resistance – to counter a capitalist economy itself defined by cultural dynamics of mediated representation, marketing strategy and lifestyle consumption. Likewise, these cases don't embody simple dynamics of law and economy, or law and culture; they exemplify a confounding of economy, culture and law that spawns new forms of illegality and new campaigns of enforcement. Similarly, these cases neither prove nor disprove themselves as 'authentic' resistance or successful political change – but they do reveal culturally organized opposition to a capitalist culture busily inventing new forms of containment and control.

Most significantly, the cultural criminological analysis of these and other cases neither accounts for them as purely subjective moments of cultural innovation, nor reduces them to objective byproducts of structural inequality. Among the more curious claims offered by cultural criminology's critics is the contention that cultural criminology has abandoned structural analysis and 'criminological macro-theories of causality' in favour of 'subjectivist culturalism' (Hall and Winlow, 2007: 83, 86). In reality, since its earliest days, cultural criminology has sought to overcome this very dichotomization of structure and agency, of the

objective and the subjective, by locating structural dynamics within lived experience. This is precisely the point of Stephen Lyng's (1990) 'edgework' concept, embodying both Marx and Mead in an attempt to account for the interplay between structural context and illicit sensuality. Likewise, Jack Katz's (1988) 'seductions of crime' are meant as provocative engagements with, and correctives to, 'criminological macro-theories of causality'. As Katz argues, a criminology lost within the abstractions of conventional structural analysis tends to forget the interpersonal drama of its subject matter – or paraphrasing Howard Becker (1963: 190), tends to turn crime into an abstraction and then study the abstraction – and so must be reminded of crime's fearsome foreground. Clearly, cultural criminology hasn't chosen 'subjectivist culturalism' over structural analysis; it has chosen instead a style of analysis that can focus structure and subject in the same frame (Ferrell, 1992; Hayward, 2004; Young, 2003). Perhaps some of our colleagues only recognize structural analysis when encased in multi-syllabic syntax or statistical tabulation, but structural analysis can be rooted in moments of transgression as well; it can show that 'structure' remains a metaphor for patterns of power and regularities of meaning produced in back alleys as surely as corporate boardrooms.

Commodifying resistance? Romanticizing resistance?

Engaging in this way with the politics of crime, resistance and late capitalism requires yet another turn as well, this one towards a central irony of contemporary life: the vast potential of capitalism to co-opt resistance into the very system it is meant to oppose, and so to transform experiential opposition into commodified acquiescence (Horkheimer and Adorno, 2002). This homogenizing tendency – glimpsed earlier in the corporate profits made from every Guy Fawkes mask – constitutes an essential late capitalistic dynamic and the most insidious of consumer capitalism's control mechanisms. The ability to reconstitute resistance as commodity, and so to sell the illusion of freedom and diversity, is powerful magic indeed (Heath and Potter, 2006). Because of this, a number of cultural criminological studies have explored this dynamic in some detail. Meticulously tracing the history of outlaw biker style, Stephen Lyng and Mitchell Bracey (1995) have demonstrated that early criminal justice attempts to criminalize biker style only amplified its illicit meanings, while later corporate schemes to incorporate biker style into mass production and marketing effectively evacuated its subversive potential. More recently, we have outlined the ways in which consumption overtakes experiences of resistance – indeed, most all experiences – within the consumerist swirl of the late capitalist city (Hayward, 2004). Likewise, Heitor Alvelos (2004, 2005) has carefully documented the appropriation of street graffiti by multinational corporations and their advertisers. And he's right, of course; as the illicit visual marker of urban hipness, graffiti is now incorporated into

everything from corporate theme parks and Broadway musicals to clothing lines, automobile adverts and video games. When it comes to the politics of illicit resistance, death by diffusion – dare we say, impotence by incorporation – always remains a real possibility (see Hayward and Schuilenburg, 2014).

And yet again, a dichotomized distinction between authentically illicit political resistance and commodified market posturing does little to explain these cases, or the fluidity of this larger capitalist dynamic. From one view, of course, this dynamic would suggest that there can be no authentic resistance in any case, since everything – revolutionary tract, subversive moment, labour history – is now automatically and inescapably remade as commodity, re-presented as image and so destroyed. A more useful view, we think, is to see this dynamic as one of complexity and contradiction. As seductive as it is, the late capitalistic process of incorporation is not totalizing; it is instead an ongoing battleground of meaning, more a matter of policing the crisis than of definitively overcoming it. Sometimes the safest of corporate products becomes, in the hands of activists or artists or criminals, a dangerous subversion; stolen away, remade, it is all the more dangerous for its ready familiarity, a Trojan horse sent back into the midst of the everyday. Other times, the most dangerously illegal of subversions becomes, in the hands of corporate marketers, the safest of selling schemes, a sure bet precisely because of its illicit appeal. Mostly, though, these processes intertwine, sprouting further ironies and contradictions, winding their way in and out of little cracks in the system, often bearing the fruits of both ‘crime’ and ‘commodity’.

A new generation of progressive activists born to these circumstances seems well aware of them, by the way – and because of this, well aware that the point is ultimately not the thing itself, not the act or the image or the style, but the activism that surrounds and survives it. So, anti-globalization activists, militant hackers, urban environmentalists and others throw adulterated representations back at the system that disseminates them, organize ironic critiques, recode official proclamations and remain ready to destroy whatever of their subversions might become commodities. Even within late capitalism’s formidable machinery of incorporation, the exhaustion of meaning is never complete, the illicit subversion never quite conquered. The husk appropriated, the seed sprouts again.

Our hope for cultural criminology – that it can contribute to this sort of activism, operating as a counter-discourse on crime and criminal justice, shorting out the circuitry of official meaning – is founded in just this sensibility. We don’t imagine that cultural criminology can easily overturn the accumulated ideologies of law and crime, but we do imagine that these accumulations are never fully accomplished and so remain available for ongoing subversion. In fact, the logic of resistance suggests that it is the very viability of crime control as a contemporary political strategy, the very visibility of crime dramas and crime news in the media, which makes such subversion possible and possibly significant.

In a world where political campaigns run loud and long on claims of controlling crime, where crime circulates endlessly as image and entertainment, we're offered a symbolic climate ready-made for a culturally attuned criminology – and so we must find ways to confound those campaigns, to turn that circulation to better ends. And as those in power work to manage this slippery world, to recuperate that meaning for themselves, we must remain ready to keep the meaning moving in the direction of progressive transformation.

This hope for social and cultural change, this sense that even the sprawling recuperations of late capitalism can be resisted, rests on a politics that runs deeper still. Certainly, the 'cultural' in cultural criminology denotes in one sense a particular analytic focus: an approach that addresses class and crime as lived experience, a model that highlights meaning and representation in the construction of transgression, and a strategy designed to untangle the symbolic entrapments laid by late capitalism and law. But the 'cultural' in cultural criminology denotes something else, too, something we suggested earlier – the conviction that it is shared human agency and symbolic action that shape the world. Looking up at corporate misconduct or corporate crime, looking down to those victimized or in revolt, looking sideways at ourselves, cultural criminologists see, again, that people certainly don't make history just as they please, but that, together, they do indeed make it.

For this reason, cultural criminologists employ *inter alia* the tools of interactionist and cultural analysis. In our view, notions of 'interaction' or 'intersubjectivity' don't exclude the sweep of social structure or the real exercise of power; rather, they help explain how structures of social life are maintained and made meaningful, and how power is exercised, portrayed and resisted. To inhabit the 'social constructionist ghetto', as some (Hall and Winlow, 2007: 89) have accused us of doing, is in this way to offer a radical critique of authorities' truth claims about crime and justice, and to unravel the reifications through which progressive alternatives are made unimaginable. That ghetto, we might add, also keeps the neighbouring enclave of macro-structural analysis honest and open; without it, such enclaves tend to close their gates to the ambiguous possibilities of process, agency and self-reflection. So an irony that appeals especially to 'ghetto' residents like ourselves: the categories by which serious scholars deny 'culture' and 'interaction' as essential components in the construction of human misconduct are themselves cultural constructions, shaped from collective interaction and encoded with collective meaning.

And further into the politics of cultural criminology and into some controversial territory indeed. Cultural criminology is sometimes accused of 'romanticism', of a tendency to embrace marginalized groups and to find among them an indefatigable dignity in the face of domination. As regards that critique, we would begin by saying ... yes. A sense of human possibility, not to mention a rudimentary grasp of recent world history, would indeed suggest that human agency is

never completely contained or defined by dominant social forces, legal, capitalist or otherwise. The Warsaw ghetto, the Soviet gulag, the American slave plantation – not even the horrors of their systematic brutality were enough to fully exhaust the human dignity and cultural innovation of those trapped within their walls. If, as someone once suggested, law is the mailed fist of the ruling class, then those hammered down by that fist, those criminalized and marginalized and made outlaws, carry with them at least the seeds of progressive opposition, offering at a minimum a broken mirror in which to reflect and critique power and its consequences. Marginalization and criminalization certainly produce interne-cine predation, but they also produce, sometimes in the same tangled circumstances, moments in which outsiders collectively twist and shout against their own sorry situations. From the Delta blues to Russian prison poetry, there is often a certain romance to illicit cultural resistance.

Or is there? In common usage, ‘romanticization’ suggests a sort of sympathetic divergence from reality; for some of our critics, it suggests that we create overly sympathetic portraits of criminals and other outsiders, glorifying their bad behaviour, imagining their resistance and minimizing their harm to others. Yet, embedded in this criticism is a bedrock question for cultural criminologists: What is the ‘reality’ of crime and who determines it? After all, a charge of romanticizing a criminalized or marginalized group implies a solid baseline, a true reality, against which this romanticization can be measured. But what might that be and how would we know it? As we’ll demonstrate in later chapters, police reports and official crime statistics certainly won’t do, what with their propensity for fraudulent self-invention and for forcing complex actions into simplistic bureaucratic categories. Mediated representations, fraught with inflation and scandal, hardly help. And so another irony: given the ongoing demonization of criminals and dramatization of crime in the interest of prison construction, political containment and media production values, it seems likely that what accumulates as ‘true’ about crime is mostly fiction, and that ‘romanticism’ may mostly mark cultural criminologists’ diversion from this fiction as they go about investigating the complexities of transgression. As we’ll show in Chapter 4, criminal acts are never quite so obviously little or large, never inherently inconsequential or important; they’re made to be what they are, invested with meaning and consequence, by perpetrators, victims, lawyers, news reporters and judges, all operating amidst existing arrangements of power. Delinquents and death-row inmates, petty misdemeanours and high crimes all emerge from a process so fraught with injustice that it regularly confounds life and death, guilt and innocence – and so, again, this process must be the *subject matter* of criminology, not an a priori foundation for it. When urban gentrification is underway, little criminals like homeless folks and graffiti writers get larger, at least in the eyes of the authorities. When the United States Patriot Act passes, petty misdemeanours are reconstructed by some as terrorism and treason. With enough political influence, the high crimes of

corporations can be made inconsequential, if not invisible. The key isn't to accept criminal acts for what they are, but to interrogate them for what they become.

Moreover, this sort of cultural criminological interrogation hardly necessitates that we look only at crimes made little or only affirmatively at crime in general. Mark Hamm's (1997, 2002, 2007b, 2013, 2015) extensive research on the cultures of terrorism, Phillip Jenkins' (1999) analysis of anti-abortion violence and its 'unconstruction' as terrorism, Chris Cunneen and Julie Stubbs' (2004) research into the domestic murder of immigrant women moved about the world as commodities, our own work on pervasive automotive death and the ideologies that mask it (Ferrell, 2004b) – the lens used to investigate such crimes is critical and cultural, sometimes even condemnatory, but certainly not affirmative. In fact, it would seem that these and similar studies within cultural criminology address quite clearly any charge of ignoring 'serious' crimes of political harm and predation.

Cultural criminology and the politics of gender

It's sometimes also argued that cultural criminology focuses inordinately on 'prototypically masculine, high-risk pursuits' (Howe, 2003: 279; Halsey and Young, 2006) – or more generally that cultural criminology is 'just boys studying boys', as a feminist criminologist once said to us – and that in this way cultural criminology ignores the politics of gender, crime and control. Certainly, many of cultural criminology's founding figures were male, and there have doubtless been various cultural criminological studies attentive to the risky cultures of largely male criminality. Yet we would hope, and would argue, that from the first, cultural criminology has engaged the politics of gender, and that this engagement has only grown as cultural criminology has matured.

As a starting point, consider the extent to which early North American cultural criminology was intertwined with feminist methodology and criminology. Ferrell's early article 'Criminological *Verstehen*: inside the immediacy of crime' (1997) set the tone not just for cultural criminology generally, but for a certain style of criminological ethnography – and with its confessional tales of male street adventure and arrest, it no doubt had something of a street-tough, 'blokey' feel to it. Yet, among the key orientations underpinning this immersive approach, as Ferrell made clear, were reflexive developments in feminist research methods, as embodied in Loraine Gelsthorpe's influential chapter 'Feminist methodologies in criminology' (1990) and Fonow and Cook's (1991) collection *Beyond Methodology: Feminist Scholarship as Lived Research*. Likewise, in the landmark collection *Cultural Criminology*, editors Ferrell and Sanders made it clear that the project was built from a synthesis of intellectual perspectives, including, importantly, feminist thought. Hence, they drew on the likes of Kathy Daly, Meda Chesney-Lind, Susan Caulfield and Nancy Wonders to argue that, 'as with cultural criminology's theoretical underpinnings, the methods of cultural criminology

are thus “feminist” in their epistemological assumptions, their rejection of abstraction and universality, and their attention to the lived texture of culture and crime, whatever the gender of those who employ them or those they are designed to study’ (1995: 323). A couple of years later, and Ferrell and Websdale’s follow-up collection, *Making Trouble: Cultural Constructions of Crime, Deviance and Control* (1999), assigned a four-chapter section to the construction of gender and crime, including chapters by Meda Chesney-Lind and Adrian Howe. Around this same time, as we’ll discuss in Chapter 8, Pete Kraska was reflecting on the gender dilemmas of the male ethnographer when researching hypermasculine research environments, and Stephanie Kane and Christine Mattley were undertaking reflexive ethnographic ‘experiments in cultural criminology’ in relation to sex and gender work, in Ferrell and Hamm’s (1998) *Ethnography at the Edge*. Often forgotten as well is how much feminist thought was at the centre of another early work in the field – Cyndi Banks’ (2000) *Developing Cultural Criminology: Theory and Practice in Papua New Guinea*. Looking back on this period now, none of this is particularly surprising. Indeed, given the extraordinary impact of feminist thought on the discipline, and especially the emergence in the 1980s of new research methods specifically attuned to gender dynamics and researcher reflexivity, the surprising thing would have been if this body of work had *not* in some way influenced cultural criminology as it developed in the 1990s.

This overlapping intellectual terrain between cultural and feminist criminology, in the domains of theory and method as well as in subjects of substantive inquiry, has grown alongside the more general growth of cultural criminology itself. Alison Young’s (2010) use of aesthetics and visual cultural criminology to interrogate cinematic violence against women, Elaine Campbell’s (2013) deployment of Judith Butler to enhance cultural criminology’s interpretation of space, Fiona Measham’s (2004) research on drugs, alcohol and gender, Jeanine Gailey’s (2009) research into pro-anorexia subcultures, Rie Alkemade’s (2013) account of the role of women in the Japanese Yakuza, Maggie O’Neill’s (2004, 2010; O’Neill and Seal, 2012) ongoing action research among female sex workers and women migrants, Valli Rajah’s (2007) work on women’s response to intimate violence, Lizzie Seal’s (2013) insights into feminist political protest – these and other research projects have all been undertaken under the rubric of cultural criminology and in engagement with its key concepts, and have built on and developed earlier methods and theory. To be honest, though, we have little interest in making either the sex of the researcher or the researcher’s subjects a special virtue or a measure of cultural criminology’s gender politics. For us, the real question is the degree to which any research illuminates human experience and creates critical possibilities for progressive change in human circumstances – and for us, the answer to that question forms around the dynamics of culture. Put differently, the progressive politics of gender are no more rooted in essentialist traits than are the politics of crime; they’re shaped by the power to construct cultural roles and their consequences,

the power to hide such construction inside ideologies of essentialism and inevitability, and the willingness on the part of progressive criminologists to confront such arrangements of power. It is for this reason that we haven't set out to create a specifically feminist cultural criminology. Instead, cultural criminology has, since its inception, defined itself as an open, inclusive and invitational intellectual domain. As we stated in the first edition of this very book: 'From the first we've conceptualised cultural criminology as a free intellectual space from which to launch critiques of orthodox criminology and criminal justice, and in which to develop humane alternatives. We invite you into this space' (2008: 210). Few criminological perspectives embrace such invitational openness, nor find themselves sometimes criticized for it, by the way (Carlen, 2011).

The subject of openness poses a further question: with which further elements of contemporary feminist thought might cultural criminology productively engage? Here, we encounter a dilemma in what we might call the contemporary culture of feminism and critical gender studies. Feminist thought has always been commendably broad and multifarious, characterized as much by schism and debate as pat consensus. In recent years, however, as second-wave feminists have been challenged (or augmented, depending on your position) by their third- and fourth-wave counterparts, the concept of feminism itself has become a newly contested space. It is a line of argument intelligently explored by Nina Power (2009: 8) in her book *One Dimensional Woman*. Power argues that if 'feminism' today can mean pretty much anything, from behaving like a man (so-called 'raunch culture') to being pro-life or even pro-war (a la the 'Tea Party feminism' of Sarah Palin or Liz Cheney), 'then we may simply need to abandon the term, or at the very least, restrict its usage to those situations in which we make quite certain we explain what we mean by it'. For Power and other feminists like Ariel Levy (2006), if the legacy of feminism is reduced to gender-enhanced self-actualization, rather than the historical struggle for women's emancipation, then 'the political imagination of contemporary feminism is at a standstill' (Power, 2009: 3). Such contested claims for sovereignty inevitably surface in any discipline; feminist thought is no different. Indeed, one could argue that this type of internal debate is much needed if disciplines are to remain vibrant and vital, but it does pose a challenge for scholars wishing to continue to converse and co-evolve with feminism as an intellectual project.

Fortunately, the more specialist field of feminist criminology offers a corrective to this trajectory. Feminist criminology has steered a productive path through some of the more opaque aspects of post-structural feminist thought, whilst at the same time maintaining the healthy pluralism associated with early feminism (something exemplified in the term 'feminist *criminologies*'). In no small part because of this, tremendous gains have been made over the past few decades in reorienting criminology to issues of gender and crime, and to feminist theory and methodology, as Frances Heidonsohn (2012) has elegantly summarized. The positive rebalancing of criminology to better accommodate gender perspectives will,

of course, continue, but what's equally clear – to us and to many feminist criminologists – is that this issue should not remain the sole ontological base on which feminist criminology moves forward. Instead, feminist criminologists will continue to pursue other, newer directions of travel, whether through a reimagining of earlier principles or the development of alternative ones. Thankfully, this process is already well underway, and it is this more diverse, less essentialist, culturally pluralistic feminist criminology that resonates particularly well with similar orientations within cultural criminology.

The subject of gender in a rapidly changing global context offers a useful example – with feminist and cultural criminologies finding common ground amidst the particular challenges of late modernity. For Nancy Wonders (2013) and others, the relationship between globalization and gender remains woefully under-theorized (see also Fleetwood, 2014). In particular, conceptualizations of gender formulated in the 1960s and 1970s are 'too static' to make sense of the many new challenges that currently face feminism – everything from transnational flows and border and migration issues to the ways that historical dimensions of feminism have been subsumed by corporations that use ironic sexism as a technique to promote women's consumerist identities. Wonders argues that we must go beyond framing gender as an *individual identity or accomplishment* and focus instead on 'the privilege and inequality that inevitably accompanies the construction of gender categories' (Wonders, 2013) under neoliberal capitalism and, more widely, patriarchal cultures. This type of approach is important for a number of reasons. First, because globalized feminist theory is capable of constructing a systemic, even networked critique of meaning – a critique demanded by the very depths at which gendered assumptions are embedded in the everyday dynamics of crime and justice – it offers more possibilities for theoretically integrating gender into all aspects of criminology (Walby, 1997). Second, unlike the mode of feminism associated with what some feminists now call the 'bourgeois women's revolution' of the 1960s and '70s (Eisenstein, 2010; Saur and Wöhl, 2011), globalized feminist theory is focused on developing 'gender projects' (Wonders, 2013) that transcend the identity concerns of 'well-educated women in the North' (Saur and Wöhl, 2011: 110). In place of these identity issues, these theorists proceed from the position that 'gender equality is strongly related to the quality of life for everyone in every country' (Peterson and Runyan, 2010: 14); a sensibility that, as Wonders states, is better suited to breaking down international barriers and allowing women to act collectively to build a new kind of feminist future. Third, as will be seen throughout the following chapters, this approach begins to integrate cultural and feminist criminologies across the landscape of late modernity and so to suggest new sorts of critical engagement.

Transnational flows of populations and popular cultures, corporate appropriations of cultural resistance, ongoing instabilities of work and identity, insinuations of legal control and symbolic violence into everyday life, contested cultures of

the body and its appearance – this is the shared subject matter of feminist and cultural criminology, perhaps the necessary subject matter of any viable criminology, under the conditions of late modernity. As we hope to demonstrate throughout this book, this subject matter brings with it new possibilities for critical analysis and critical intervention. For cultural criminologists, feminist criminologists and others, mediated meaning and mediated representations – of criminals, of women, of immigrants, of policing – emerge as an essential area of interrogation, and as much so a potential field of activism. The ability to locate the global in the local and the everyday, to see the shifting shape of the world in little moments of neighbourhood policing or public disorder, equals in importance the mastering of theoretical paradigms. A willingness to deconstruct official definitions, to take apart what we're meant to be sure of and to explore instead the shifting uncertainties of late modernity, now becomes its own kind of disorienting orientation. In fact, in the book's conclusions we'll argue that this is the emerging shape of critical thought, the contemporary contribution offered by any viable criminology – and the critical thread connecting cultural criminology to feminist criminology and to other progressive and critical approaches.



At the end of each chapter, we have included a list of film and television sources that we hope will enhance your understanding of some of the various theories and concepts employed in the book. Those readers interested in using this dual approach to interpreting and understanding criminological theory through a filmic lens should also explore the chapters in Nicole Rafter and Michelle Brown's book *Criminology Goes to the Movies* (2011). Using a well-known movie to explain a particular criminological theory (e.g. Martin Scorsese's (1976) *Taxi Driver* as a vehicle for introducing social disorganization theories), Rafter and Brown provide a good introduction to the relationship between popular culture and academic criminology.

For a more general collection of essays on cultural criminology and visual culture, take a look at Keith Hayward and Mike Presdee's (2010) book, *Framing Crime: Cultural Criminology and the Image*.

A selection of films and documentaries illustrative of some of the themes and ideas in this chapter

***We Steal Secrets: The Story of WikiLeaks*, 2013, Dir. Alex Gibney**

A documentary about the controversial website, WikiLeaks, which facilitated the largest security breach in American history. Providing an interesting history of computer hacking and online whistle-blowing, Gibney's film adopts an even-handed

(Continued)

(Continued)

approach to WikiLeaks and its controversial founder Julian Assange. A good primer on the subject of digital activism.

The Pervert's Guide to Ideology, 2012, Dir. Sophie Fiennes

The sequel to Fiennes' 2006 documentary, *The Pervert's Guide to Cinema* (see Chapter 6), *The Pervert's Guide to Ideology* once again sees the highly caffeinated Slovenian philosopher Slavoj Žižek transplanted into the scenes of famous movies like *A Clockwork Orange* and *The Sound of Music*; this time his goal is to unpack the prevailing ideologies that undergird cinematic fantasy.

Kamp Katrina, 2007, Dirs David Redmon and Ashley Sabin

An achingly poignant documentary about the trials and tribulations of a group of New Orleans residents who, left homeless by Hurricane Katrina, attempt to rebuild their lives in a small tent village set up by a well-intentioned neighbour. This is no alternative utopia, though, and very soon the frailties of humanity become all too apparent. See also Spike Lee's hard-hitting 2006 documentary *When the Levees Broke*, which focuses not just on the human suffering wrought by Katrina, but importantly on the ineptitude of the US Federal Government before and after the disaster. Lee's film poses serious questions about whose lives counted in Bush's America.

Dogville, 2003, Dir. Lars von Trier

A minimalist parable about a young woman on the run from gangsters, *Dogville* is a treatise on small-town values and perceptions of criminality. It is a story that also has much to say about both 'community justice' and ultimately revenge, as each of the 15 villagers of Dogville are faced with a moral test after they agree to give shelter to the young woman.

The Corporation, 2003, Dirs Jenifer Abbott and Mark Achbar

An insightful and entertaining documentary, *The Corporation* charts the rise to prominence of the primary institution of capitalism – the public limited company. Taking its status as a legal 'person' to the logical conclusion, the film puts the corporation on the psychiatrist's couch to ask 'What kind of person is it?' The answers are disturbing and highlight the problems associated with unchecked capitalism. See the film's excellent website (www.thecorporation.com) for some great links, information on how to study and teach the themes raised by the movie, and a number of case studies and strategies for change.

Further Reading

Hayward, K. (ed.) (2015) *Cultural Criminology*. Routledge Major Works Series. Abingdon: Routledge.

Definitive four-volume collection on cultural criminology. This edited set comprises 80 chapters grouped under the headings 'Precursor Resources', 'Core Readings, Key Themes', 'Research Methods and Critical Approaches' and 'New Directions'.

Ferrell, J. and Sanders, C. (eds) (1995) *Cultural Criminology*. Boston, MA: North eastern University Press.

An early edited collection of thirteen essays on crime and culture that includes key chapters on criminal subcultures, media representations of crime, and various criminalised forms of music and style. This book represents the classic early North American formulation of cultural criminology.

Hayward, K. and Young, J. (2012) 'Cultural criminology', in M. Maguire, R. Morgan and R. Reiner (eds) *The Oxford Handbook of Criminology*, 5th Edition. Oxford: Oxford University Press.

This concise chapter by two of the authors offers a good synopsis of cultural criminology that is suitable for both undergraduate and postgraduate students. (See also the earlier version of this chapter in the fourth edition; useful for comparing cultural criminology's evolution as a distinct criminological perspective.)

Ferrell, J. and Hayward, K. (eds) (2011) *Cultural Criminology: Theories of Crime, The Library of Essays in Theoretical Criminology*. Farnham: Ashgate.

This volume of twenty-two previously published works consolidates classic precursor works with key examples of contemporary cultural criminology. A one-stop-shop for undergraduates and postgraduates alike that also includes a useful introductory essay by the editors.

Ferrell, J., Hayward, K., Morrison, W. and Presdee, M. (eds) (2004) *Cultural Criminology Unleashed*. London: GlassHouse.

Edited collection of twenty-four essays on cultural criminology that includes research into crime and culture across a variety of local, regional and national settings.

Useful Websites

Cultural Criminology website

<http://blogs.kent.ac.uk/culturalcriminology/>

Access a number of key publications and keep up to date with news about publications and conferences in the area at the University of Kent's cultural criminology website.

***Crime, Media, Culture: An International Journal* (London: SAGE)**

<http://cmc.sagepub.com/>

Published three times a year by SAGE Publications, *Crime, Media, Culture* is an international and interdisciplinary periodical dedicated to exploring the relationships between crime, criminal justice and the media.

***Cultuur en Criminaliteit* (Boom, The Hague, The Netherlands)**

www.bjutijdschriften.nl/tijdschrift/tcc/2014/2

The cultural criminology journal of The Netherlands. Many of the papers here are published in Dutch, but this site is also home to a number of English-language articles on cultural criminology.

(Continued)

(Continued)

***Critical Criminology* (Springer, New York)**

www.springer.com/social+sciences/criminology/journal/10612

Website of the international journal *Critical Criminology*, the longstanding home of critical analyses of crime and punishment. See also <http://critcrim.org/>, the home of the critical criminology division of the American Society of Criminology where you can gain free access to their newsletters.

The International Journal for Crime, Justice and Social Democracy

www.qut.edu.au/research/our-research/institutes-centres-and-research-groups/crime-and-justice-research-centre/international-journal-for-crime-justice-and-social-democracy

Run out of Queensland University of Technology in Australia, this journal covers critical research about the challenges encountered by social democratic modes of crime control and criminal justice. Register and read articles for free here: www.crimejusticejournal.com/user/register