

On the Possibilities of a Queer Criminology: Homophobia as the Object of Study in the Criminal Sciences—A Perspective Based on the Brazilian Reality

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Received 6 August 2013; revised 10 September 2013; accepted 17 September 2013

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Abstract

The purpose of this research is to approach queer theories and the critical perspectives of criminology in Brazil by analyzing both the conditions of the possibility and the implications of a queer criminology. Homophobic violence is seen here as the object of study of a queer criminological perspective, whose ambition is the construction of a qualified perspective that is aware of diversity, concerned with human rights and, above all, non-discriminating towards the (positive and negative) political demands of social movements represented by gays, lesbians, bisexuals and transsexuals.

Keywords

Criminology; Queer Criminology; Queer Theory; Homophobia; Human Rights

1. Introduction

1) Brazilian criminological studies—including their critical and cutting edge perspectives—have not yet to start a deeper exchange of ideas with queer theories. The absence of a queer focus in criminology does not mean that there have not been important interdisciplinary researches about the subject in other areas of the Brazilian social sciences. Rather, many studies have been published in recent years in major Brazilian academic journals

and there are journals exclusively dedicated to gender and sexuality themes¹.

Therefore, the goal of this essay is to confront the orthodox and critical criminological discourses based on the irreversible advances triggered by queer and feminist theories in social sciences, assessing their impacts and the conditions of the possibility of recognition of a queer criminology and/or the development of a queer approach in criminology.

I believe there are unique features and contradictions surrounding the theme in Brazil. Despite the media stereotypes that portray Brazilian culture as one that is extremely tolerant of sexual diversity—some sort of an “*endless carnival*”—homophobia manifests itself in many ways in our society: physical violence among individuals; acts of violence by state agents; everyday acts that reinforce and reproduce a homophobic culture. Major reports have allowed that visibility given to the issue—especially regarding institutional and individual forms of homophobia—helping the matter to become part of the political agenda (e.g., [1]).

Relevant associations and groups representing lesbians, gays, bisexuals, transsexuals, transvestites and transgender (LGBT movement) have come forward to speak out against our homophobic culture and have suggested policies to reduce violence and have also undertaken legal actions to enforce rights. In the latter aspect, important improvements have taken place in recent years, such as the recognition of same sex civil union; the authorization of gender reassignment surgeries in the public health system; the possibility to issue new birth certificates with new feminine/masculine names; and the adoption of children by homosexual couples. In the field of criminal policies, the major impact stems from a bill that criminalizes homophobia, and this has certainly stirred up some heated discussions.

This is a brief overall of the current situation of the politics surrounding the theme of queer criminology in Brazil.

2) The intersection between criminal sciences and queer studies can identify two distinct fields of research: first, *the theoretical field*, a product of the impacts that queer studies produce in legal sciences (queer legal theory), in general; and in criminology (queer criminology), in particular; and second, the *political arena* regarding the demands of the LGBT movement of establishing rights and promoting equality.

Hence, based on Kepros (*Apud* Fineman [2]), it is possible to see queer studies as an academic movement with strong ties to politics. They are concerned with the processes in which *heterosexuality* remained silent, but prominently as a dominant norm (heteronormativity), establishing privileges, inequalities, promoting and legitimizing violence (oppression).

This is the background of this essay.

2. Queer Thought, Feminist Theory and the Resistance to Heteronormativity

3) Queer studies are not constituted as a single body or a system of dogmatic thinking. It is a line of academic research clearly marked by a plurality of perspectives, somewhat identified with the political activism of the LGBT movements, and has close ties with feminism, cultural studies, sociology of sexuality, social psychology and legal theory.

Queer theories seek to destabilize some cultural comfort zones created by heterosexism, which have been historically set as regulation and social control devices, such as the polarization between men and women and the institutionalization of heteronormativity. Heterosexism is understood as forms of “*discrimination and oppression based on a distinction concerning sexual orientation. The heterosexism is the relentless promotion, by institutions and/or individuals, of the superiority of heterosexuality and the simulated subordination of homosexuality*” [3: 467].

By imprisoning subjectivities in the binary idea of hetero/homosexual, the naturalization of the heterosexual norm creates power mechanisms where differences are exposed as a diversion or an abnormality. Once the deviant behavior based on the heterosexual rule is established, social control is used in the process of criminalizing and pathologizing difference. In addition to these responses produced by control agencies, heteronormative logic leverages numerous other forms of violence in which sexual diversity is sometimes the victim and, in others, the culprit.

I understand, therefore, that this complex process of legitimation of heterosexist violence can be broken down into three levels: first, the symbolic violence (homophobic culture), based on the social construction of dis-

¹Here are some examples of such academic journals: *Bagoas: gay studies, gender and sexuality* (Federal University of Rio Grande do Norte-UFRN), *Estudos Feministas* (University of de Santa Catarina-UFSC) and *Pagu* (State University of Campinas-UNICAMP).

courses of inferiority of sexual diversity and gender orientation; second, the violence of institutions (State homophobia), with the criminalization and pathologization of non-heterosexual identities; third, interpersonal violence (individual homophobia), in which the attempt to annul the diversity occurs through brutal acts (physical violence).

4) Seeing the formal and informal mechanisms of legitimation of homophobic violence makes it possible to point out some similarities in the differences behind the feminist and queer perspectives.

One of the central points of the feminist theory is the deconstruction of the ideal of masculinity that diminishes and violates women. According to Fineman [2], the goal of the feminist legal theory in the 70s and 80s was to demonstrate the ways in which the naturalization of a hierarchical social structure—represented by the traditional family—excluded women from public spheres, imprisoning them in fixed gender roles (wives and mothers). In parallel, the feminist movement began to give visibility to violence against women, especially in this private setting they had been historically assigned to occupy.

To Welzer-Lang, society as a whole assigns noble roles to men and to that which is male and tasks of little value to women and to that which is feminine, and this world division is maintained and regulated by different forms of violence: “*multiple and diverse violence which tends to collectively and individually perpetuate the powers that are attributed to men at the expense of women—from male domestic violence to rape during war, including violence in the workplace*” [3: 461].

Queer theories, alongside of feminist theories, aim their criticism *at the inferiority of different gender identities and sexual orientation* established in the historical process of naturalization of the *heterosexual ideal*. Therefore, the matter here is not only about a complaint of inequality engendered by gender-assigned roles. Queer theories seek to deconstruct the established hierarchy between *hetero and homosexuality* (regardless of gender), break the *attachment* to such concepts and overcome this *dual mentality* that sets people apart and label them. Such hierarchy, attachment and dual mentality establish and legitimize numerous forms of homophobic violence everyday.

Currently, the queer thought supports both the existence and coexistence of a series of disparate sexualities in which both the ambiguity and multiplicity of positions have become variables that drive deep theoretical and methodological changes—“*the theoretical agenda moved from the analysis of inequality and power relations among given or relatively fixed social categories (man and woman, gay and straight) to the questioning of the categories themselves—their stability, separation or boundaries—and to see the power game around them as less binary and less unidirectional*” [4: 07].

Therefore the convergence between feminist and queer theories lies in criticism and deconstruction of phallogentrism or the macho paradigm, something that establishes heterosexual masculinity as the rule and engenders, as a direct consequence, the oppression of women (misogyny) and the annulment of sexual diversity (homophobia).

3. Homophobia and Criminal Sciences: The Labeling Compulsion and the Pathologizing Ideal

5) Although the first understanding of the word homophobia is linked to an idea of “*irrational fear of homosexuality*”—one cannot overlook the pathologizing idea brought by the suffix “phobia”—in contemporary social sciences the theme is seen as a social construction rooted in the stigma and the discrimination surrounding homosexuality [5].

Junqueira suggests that homophobia be understood as “*to address prejudice, discrimination and violent situations against people who may be or may not be gay whose performances or gender expressions (tastes, styles, behaviors, etc.) do not fit the mainstream models*” [6: 153]. Pocaahy and Nardi understand that homophobia “*represents all forms of disqualification and violence directed at everyone who does not correspond to the normative ideal of sexuality*” [7: 48].

The meanings assigned to the *homophobia* category allow us to identify the three forms of violence I have previously exposed: symbolic violence (homophobic culture), institutional violence (State homophobia) and interpersonal violence (individual homophobia).

In terms of symbolic violence, scientific discourses end up intertwining with the *everyday theories* and forming a kind of homophobic common sense that reinforces heteronormativity. And this is why a relatively careful look lets us see how homosexuality has been historically sidelined and opposed to cultural patterns. With this in

mind, it is possible to observe an endurance of that inquisitorial mind set of identifying sexual deviance as a sin in the modern sciences.

For Foucault, the formation of a real scientific system about sex in the West begins with *the hunting of peripheral sexualities* that entailed an *incorporation of perversions and a new specification of individuals*. Thus, the 19th century homosexual is transformed into a personage: “*a past, a history, and a childhood, a character, a type of life, also a morphology, with an indiscreet anatomy and possibly a mysterious physiology*” [8: 43]. If the sodomite was a recidivist, the homosexual is a species to be studied and classified among the many perversions nominated by psychiatry and criminology during the 19th century.

6) In the field of criminal sciences, Groombridge [9], in his influential study on the possibilities of a queer criminology, proposes an interesting reflection: criminology, since its historical foundation in the positivist matrix would not have been a queer criminology? According to the author, somehow it would be possible to present a positive response, especially because the lombrosian image of the deviant is marked by sharp traits that expose the homoerotic exaggeration of anatomical features of male bodies as, e.g., the developed muscles and huge genitals.

Besides provoking his readers, Groombridge shows how the scientific project of classification of the *homo criminal* is directly connected to the idea of the first sexologists to map sexual deviance. Hence, both approaches ultimately establish a homogeneous control system of two related forms of abnormality: criminal behavior and sexual perversion. In this scenario, “*while the sexologists sought to classify the inverted male as different from the normal male, criminologists were defining the criminal male as different from the normal male*” [9: 534].

Although issues related to sexuality are not central to the lombrosian research, Groombridge highlights the natural incorporation of heteronormativity by positivist criminology. In a model of orthodox science, marked both by moralizing and normalizing references, heterosexual masculinity is viewed as a resource to interpret the deviant and a model for cataloging pathologies.

It is also important to remember that the positivist model understands both crime and the delinquent as the barbarian remains of mankind that must be either controlled, or extinguished, or regenerated through technique (psychiatry, criminology, criminal law). Criminology is assigned the role of canceling the last vestige of barbarism. The deviant therefore represents the denial of civilized men and crime externalizes moral values opposed to those of culture. The procedures of orthodox criminology aimed at identifying, analyzing, intervening, abolishing (or converting) deviants—among them gays, called “*inverted*” by early sexologists—are epistemologically grounded in the ideal of heterosexuality. With this in mind, one can argue that the constitution of scientific criminology is a homophobic one, as well as numerous other sciences that pathologize sexual diversity, especially psychiatry.

It is important to understand, therefore, how this labeling process of diversity—typical of scientific positivism—produces reifying deviant identities. The reifying process involves freezing and identifying the deviant pathology as its own identity. The offense is interpreted as an innate power, as an attribute of individual that will eventually surface, revealing a hidden part of his existence: his criminal essence. The identification of the act with perpetrator locks past and future in the image of deviance: a confinement of the past because his history is interpreted only as a sequence of preparatory acts for the offense and an imprisonment of the future because committing the crime marks an inexorable tendency to repetition.

The gender deviation and the deviant sexual behavior are traits of a potentially criminal pathological personality that resists the heteronormative standard. The reifying of sexual preference as a deviant identity happens because “*nothing that went into his total composition was unaffected by his sexuality. It was everywhere present in him: at the root of all his actions because it was their insidious and indefinitely active principle; written immodestly on his face and body because it was a secret that always gave itself away*” [8: 43].

Homophobia is therefore a political and scientific defense of heteronormativity against heretical sexualities, establishing hierarchies and inequalities that materialize in discourses and acts of violence.

4. Three Discontinuous Rupture Movements with Orthodox Criminology

7) The *first movement* that I would like to highlight in the process of depathologization of both the delinquency and the delinquent is the one derived from the Chicago School that leads to the labeling approach.

Sutherland is one of the first criminologists to categorically state that the assumptions of positivist criminology are invalid, not only because they are not applicable to the crime of the upper classes, but because they don't

even explain crime in the lower classes, since the factors commonly associated with crime are not related to a general process that characterizes criminality as a whole [10: 11].

The findings of Sutherland destabilize not only the image of the offender built on primitive foundations as well as hinder the goal of positivism to develop a general theory that explains the crime phenomenon. When he states that it is impossible to have a universal explanatory hypothesis, Sutherland blurs the idea that crime is an essence of a pathological minority opposed to moral values imposed by culture.

With the consolidation of the labeling approach, the image of crime as both a fixed and stable unit fades away—although the positivist assumptions remain strong in the common sense and in the practices of official criminology.

According to Becker [11], deviation cannot be interpreted as a quality of the act, but the consequence of a criminalization process constituted by selection procedures, law enforcement and punishment of deviant. The depathologization of deviation shifts the focus on the object of criminology: from criminality to processes of criminalization.

However, despite the deconstruction brought on by the labeling approach, orthodox criminology reinforces the image of the offender as a stranger, as someone totally oblivious to society that intrudes upon both the social and family environment stirring up radical, unknown, unusual violence. However, this image of the offender as someone who does not share the same cultural values is proven to be false by the Chicago School and the labeling approach. Based on the analysis of white-collar crimes and crime statistics, the presence of crime in ordinary activities of individuals who represent the bourgeois culture becomes evident. So the criminal is more than a degenerate that rekindles his barbaric essence through a somewhat primitive process. Rather, he is someone who also contributes to the establishment of moral assumptions of civilization. Crime can no longer be understood as a natural attribute of a minority that resists cultural norms.

Above all, Sutherland removes both the crime and the criminal from the pre-civilized ghetto and places them in the center of the political and cultural scene. The public space is therefore a space that produces offenses and the bourgeois civilization is not a mere victim of the occasional wild individuals: the *criminal* inhabits the *bourgeois*, he is a part of him and represents his culture and is embedded in his institutions.

8) Although in a different temporal arrangement, the *second movement* I would highlight as relevant in the rupture with the positivist model would be the one brought on by *feminist criminology*, whether regarding the diagnosis of the violence suffered by women, whether regarding the conclusions about the sexist operation of the criminal justice system.

In this perspective, interactionist and feminist constructions can be considered theoretically complementary, because if the labeling approach universalized crime in public life, feminism—especially the studies about domestic violence—demonstrated that the offense—in all its radicalism—is present in the intimate sphere of both family and personal life.

Based on the studies of gender violence, the criminal is no longer a stranger who emerges in the public space, violating the social contract and reliving the barbaric, but is presented as someone familiar. The stereotype of the ugly and abject criminal (positivist aesthetics) is destabilized. “*Prince Charming*” (husband, boyfriend)—a repository of the happiness dream present in the collective imagination—is someone capable of the most extreme forms of violence. The feminist research on the recurrence of acts of physical and sexual violence practiced domestically personified crime at home, the last ideal refuge of safety in a society intoxicated by the promise of eradicating crime—“*different than shown by the tradition of patriarchal thought, people are not completely safe in the context of private and family life. Rather, it is inside the home that brutal forms of violence are perpetrated and perpetuated*” [12: 153].

The feminist criminology is not limited, however, to the exposure of “*domestic secrets*” (victimization of women) [13: 499]. Feminist criminology aims, broadly, at “*making the invisible visible*”, shedding light to the forms of gender domination upon which our patriarchal culture was forged [13: 382].

The feminist agenda not only highlights the process of objectification of women—which makes them vulnerable to violence in the private sphere, but also exposes the institutional sexism that plays different forms of violence against women in the drafting, interpreting, implementing and enforcing of the law. And brings the diagnosis of women being raped twice by the criminal justice system—regardless of their role in the criminal act. Whether she is a victim of some sort of violence that is turned invisible or underrated, whether she is the perpetrator and receives a hyper or great punishment of her actions [12: 152].

9) The *third movement* of destabilization of the positivist model is triggered by *critical criminology*.

Critical criminology allowed a reflection about the institutional forms of violence, from the political and economic context of the (re)production of inequalities by the management of the surplus masses through the criminal system. Therefore the liberal criminological approach centered on the individual or on the deviant groups (micro criminology) is overcome by the critical approach (macro criminology) that “*historicizes the behavioral reality of deviation and brings light to its functional or dysfunctional relation with the social structures, such as the development of production relations and distribution relations*” [14: 160].

And this is exactly the reason why a) the forms of construction and reproduction of criminal stereotypes by institutions of social control and b) the processes of uneven distribution of punitive criminalization among criminal agencies are the focus of the critical perspective.

Studies promoted by critical criminology have demonstrated not only the lack of an ontological difference between criminals and non-criminals, as well as evidenced that the institutions of the modern state (*lupus artificialis*), created to control and prevent violence and provide security, are themselves the breeding sources of violence.

In this respect, it is interesting to note how feminist criminology has overcome this dichotomy between micro (liberal criminology) and macro criminology (critical criminology), showing an interesting path for the renewal of critical thinking. Looking closer at the specific problems of marginalized groups in concrete situations of vulnerability, with special attention to their diversity, does not mean abandoning the institutional analysis. Rather, it provides elements that allow us to see how these vulnerabilities are borrowed and resized into new forms of violence.

5. The Possibility of and the Need for a Queer Criminology

10) Groombridge [9] incited criminology to “*get out of the closet*”, and pointed out a real problem that tends to halt the possibilities of dialogue between queer thought and criminology: the marginalization of gender issues in criminology and the marginalization of criminology itself in law schools. Accordingly, Sorainen [15] points out that criminology is silent and in some situations shows fierce resistance to the queer themes and theories. The problems tend to get worse in the countries of the Roman-Germanic legal tradition due to the little space given to feminist and queer theories in their legal studies.

Notwithstanding, I think the gradual space conquered by the labeling approach, feminist criminology and critical criminology in the criminal sciences in Brazil may represent an important dialogue possibility with queer thought. It is possible to state that the micro and macro criminological levels of understanding of violence and criminalization processes developed by these criminological trends set the stage for the possibility of a queer criminology or at least an interweaving of queer theories in criminology (queering criminology). Using the convergence of a series of anti orthodox criminological thoughts, I believe it is possible to have a viable criminological queer lens based on the definition of a precise object of analysis: *homophobic violence*.

As I have stated here, the study of homophobic violence can be proposed based on three levels of investigation, arranged in a non-hierarchical or preferred manner. These different levels suggest specific fields of analysis of the problem of homophobia: first, interpersonal homophobic violence, which involves the study of the vulnerability of both non-hegemonic masculinities and femininities to physical violence (violence against the person and sexual violence); second, the institutional homophobic violence (homophobic State), which becomes apparent, on one hand, on the construction, interpretation and application of sexist laws and, on the other, on the construction of violent practices in and across the punitive agencies (e.g., police, prison, psychiatric hospitals); and third, symbolic homophobic violence, which includes formal and informal processes of constructing a heteronormative grammar.

It is possible to see that the theme and the analysis proposed are very similar to those that characterize the agenda of feminist criminology. I believe therefore that a queer criminological perspective, besides consolidating feminist knowledge in the criticism of thinking that hierarchy between male and female is a natural one, could transcend this dichotomy of gender. The question becomes then not only how to deconstruct the misogynist standard that diminishes the feminine, but also how to break from hegemonic masculinity beyond gender differences.

As shown by Messerschmidt and Tomsen [16], certain forms of masculinity are socially and institutionally hierarchical, subordinating both femininity and non-hegemonic masculinities. Hegemonic masculinity would be exposed as a violent form of hypermasculinity that is expressed in compulsory heterosexuality, homophobia and

misogyny. Masculinities, however, are plural, socially constructed, reproduced and incorporated into collective practices in institutional settings. Also, they are intrinsically related to power struggles that occur between men and women and between different men and different women.

At the intersection of the question of hypermasculinity (“*ideal male*”) along with the problems related to class, race, ethnicity, age and sexuality, it is possible to note how “*there are different forms of masculinity that are differently linked to the attainment of social power, crime itself is a means or social resource/practice to construct masculinity, and analyses must balance consideration of structural forces and human agency*” [16: 175].

Understanding the construction of hegemonic masculinities and their ways of producing (interpersonal, institutional and symbolic) violence seems to be one of the main challenges of the contemporary criminological thought. Of course this is just one of the many variables and analysis, like any other, and cannot be understood separately without the risk of endorsing causal explanatory models. Moreover, the intertwining of feminist standpoint with regard to patriarchy and misogyny with analysis on heteronormativity and queer (non)hegemonic masculinities allows us to realize the need for criminology to understand the many factors that make people vulnerable to victimization and criminalization processes, among them those related to gender identity and sexual orientation.

11) It is possible to confront a central question proposed by Sorainen regarding the conditions of possibility of a queer criminology after realizing the importance of the contribution of the queer theories in order to understand the formation of a culture of homophobic violence that victimizes sexual diversity and different gender identities and takes shape *in* and *through* the criminal justice system.

Sorainen [15], inspired by the classic study of Smart (2003), asks whether criminology has something to offer queer studies and queer policies. Due to the resistance of (orthodox and critical) criminology to the incorporation of feminism, there were numerous incompatibilities that would hinder the thought of a feminist criminology [13: 382]. According to Smart, feminists have long inquired, “*what does feminism have to contribute to criminology (or sociology)?*” Despite the fact that for a long time the feminist thought “*(...) has been knocking at the door of established disciplines hoping to be let in on equal terms*”, and “*(...) these established disciplines have largely looked down their noses (metaphorically speaking) and found feminism wanting*” (Smart, 2003: 499). However, Smart notes that there is an ongoing reverse process of opening the doors. The current state of feminist art, with its consolidation as an academic discipline and autonomous political practice, would therefore rephrase the question in order to verify if feminism (still) wants to join the criminological field. The question to be asked would be, “*what has criminology got to offer feminism?*” (Smart, 2003: 499). According to Smart [17], it is difficult to realize what criminology would have to offer feminism, because its attachment to modern scientific form (grand theoretical narratives) imprisons both criminological thinking and doing into total conceptual schemes that simplify complex problems, something that would lead feminism to abandon criminology.

In principle, based on the lessons of Groombridge [9] and Sorainen [15], I argue that the possibility of a queer criminology would only surface when the criminological subject addresses homophobic violence as one of its themes of analysis with the same intensity (not in the same perspective, of course) with which the first criminologists (positivist criminology) analyzed homosexuality as crime and disorder.

I believe, however, that this change in direction should not only be limited to the possibilities of a dialogue between criminology and queer theories (queer criminology). I understand that the expansions of the themes and issues analysis are key issues for the viability of contemporary criminology itself, as well as “*(...) needs to reflect seriously its own history, methodology and practices in relation to sexuality, gender and subjectivity*” [15: 04]. I think the crucial question that should be a part of a criminological thought appropriate to the demands of the twenty-first century has to do with a radical break from orthodox criminology—especially because it is essential to recognize that this orthodox mind set took overcritical criminology for a long time, especially with respect to economic reductionism in explaining crime.

Perhaps it would be appropriate, therefore, to rephrase the questions brought by Smart and Sorainen and instead of asking, “*What criminology has to offer queer and feminist theories*”, the question should be “*Which criminological discourses would contribute to and which trends hinder dialogue, transdisciplinarity and (self)criticism*”.

In this aspect, Smart and Groombridge offer important tips about the possibilities of building an environment of exchange between the critical perspectives that work with the theme of violence. Smart [17], when highlighting the tension of the intersection between feminism and criminology based on postmodern theories, presents an accurate diagnosis on the exhaustion of criminological projects that have an origin at the Enlightenment period, that are fruits of a general epistemological standard adopted by social sciences. The modern mind-

set knowledge production is governed by the logic of great narratives. Hence, the epistemic quality of a particular science project ultimately depends on its ability to provide a general, thorough and consistent explanatory model about its object of investigation. In criminology, it means that in order to “*scientifically*” recognize a paradigm, a logical model (method) of understanding crime, criminality and social control must be presented, followed by a coherent proposition on solving this particular problem (theory of punishment). A clear example is Becker’s [11] extensive effort to reassess the labeling theory to justify the absence of any intention of creating a new theory due to the resistance that pointed out the “*gaps*” and “*inconsistencies*” in the labeling approach. Such criticism—the lack of a scientific model—is constantly directed to critical criminology itself because of the alleged prevalence of the political character over the scientific one.

However it seems that current critical criminology realized that this *system desire* marks the orthodox structures of criminological thought is usually influenced by the positivist dream of scientific neutrality. The criticism to positivism has not stopped some trends of critical criminology of reproducing certain orthodoxies, with the attempt to build comprehensive universal, thorough and consistent models driven by the desire of methodological unity and discipline, in order to answer/solve the problems of unequal distribution of criminalization.

Based on this diagnosis, however, I don’t see an overwhelming contradiction between critical criminology and feminist and queer theories. It seems there is an incompatibility between the rupture perspectives with heteronormative culture and the closed criminological models of positivist inspiration. I think, also, that not only feminism and queer studies must abandon these production models of criminological knowledge, but if critical criminology really wants to understand the complexity of contemporary problems such as homophobic violence, it must forego the temptation of absolute models represented by the great narratives about crime, the offender, the processes of criminalization and social control mechanisms.

If one of the main legacies of the labeling approach was that the offense is not a unit, but a process in which numerous variables facilitate criminalization, it is inappropriate to think of a general theory that intends to offer a homogeneous system of interpretation aimed at solving purposes. This would eventually mean the absolute reduction of differences to a criminological reference unit. So if there is a multitude of behaviors that should be analyzed in its specificity and context, one should foster its often tense coexistence with numerous theoretical perspectives that assist in its understanding. I believe the current fragmentation of criminology is the actual virtue of contemporary criminology, although many scholars perceive it as problematic because it precludes the formation of a unitary and coherent thought.

Based on their own complexities, it would not be reasonable that feminism or queer theories would be incorporated by criminology, creating new disciplinary understanding units. But, quite the opposite: by assuming fragmentation, both theoretical perspectives should abandon any absolute intentions and create new and innovative fields of dialogue. In this sense, the invocation of postmodern thought by Smart [17] creates real opportunities for interactions between the feminist, queer and critical perspectives. Incidentally, this seems to be the solution found by Groombridge [9] when asking cultural criminology to construct a possible field of interaction between criminology and queer theory.

6. Final Thoughts: About New Trends in Critical Criminological

12) Ferrell and Sanders, when pointing the new theoretical and methodological perspectives offered by cultural criminology, demonstrate how it is possible that criminology dialogs with a wide range of distinct preferences to understand the confluences of culture in contemporary life. This plural background allows cultural criminology to be understood as a kind of paradigm synthesis that incorporates and reworks criminological perspectives on building a new theoretical combination [18]. Concerning methodology, the authors invoke the need for an ethnographic immersion in everyday experiences in order to bring criminology closer to the reality of deviant events.

Thus, new categories of understanding emerge, among which criminal pleasures and criminal eroticism, which traversed by certain individual, social or political vulnerability situations, may lead to events of either criminalization or victimization [19]. In the particular issue of the vulnerability of groups resistant to heteronormativity and compulsory heterosexuality, Ferrell and Sanders, based on the work of Kushner (socialism of the skin), show how both the gay and lesbian pleasures and desires politically enter the punitive systems, producing distinct forms of control and repression. They suggest a criminology of the skin that may understand the criminalization of both pleasure and desire and that explores the complex processes by which (pleasure and de-

sire) reproduce, redefine and resist power and domination [18: 316].

In this sense, they suggest “(‘’) to develop not only a better criminology of girls and women but also a better and more attention cultural criminology (‘’) that can understand the criminal worlds of lesbian and gays, and especially the ongoing criminalization of gay and lesbian life” [18: 318]. (Cultural) criminology should therefore engage with queer theories, to further explore control policies and criminalization beyond the biological reductionism—“If the criminality and criminalization of women and girls, lesbian and gays tend to be overshadowed by the coincidence of masculinity and crime, we must develop a cultural criminology that highlights these alternative processes and the gendered politics within which they occur” [18: 319].

In this perspective, I believe it would be possible to offer a positive response to the provocations of Smart and Sorainen, even if there is disbelief about the virtues of criminology.

In a first analysis, I am tempted to reply that criminology has something to offer to both feminism and queer theories, although I am aware that this contribution is infinitely inferior to the one provided by feminism and queer theories to criminology. At the moment the specifics on gender identity and sexual diversity intertwine with the reality of crime and criminality, I understand that criminology has sophisticated interpretative resources to contribute to the understanding of homophobic violence in its different dimensions (symbolic, institutional and interpersonal) and in its various spheres (public, private, institutional, discursive). Moreover, due to the reflection on homophobic violence damming (de)criminalizing demands, criminology (especially critical criminology) has sufficient methodological tools capable of assessing the burden and bonuses of criminalization, even as a way to prevent the inherent perverse effects of punitive criminal policies.

Therefore, it seems inappropriate that these concrete demands of feminist and queer movements simply discard the criminological discourse, mainly because there are highly aligned (critical and post-critical) criminological perspectives to the project of resistance to heteronormative hegemony.

Acknowledgements

I would like to thank Dra. Antu Sorainen from the University of Helsinki for the stimulating exchange of ideas and precious literature tips.

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