

Gender and Crime

Code: 100453
ECTS Credits: 6

Degree	Type	Year	Semester
2500257 Criminology	OT	4	0

Contact

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Use of languages

Principal working language: catalan (cat)
Some groups entirely in English: No
Some groups entirely in Catalan: Yes
Some groups entirely in Spanish: No

Prerequisites

To have studied any module covering gender issues.

Objectives and Contextualisation

Objectives and contextualisation

Objectives

a) General learning objectives

The objective of this module is to analyse the processes through which gender relationships are constructed within the scope of the criminal justice system. The objectives are manifold: firstly, to point out how criminology knowledge reproduces and generates structures of subordination towards women, through the study of traditional criminology schools of thought and of the most recent criminology and gender theories; secondly, to understand the gender exclusion mechanisms used by the criminal system, that increase their own particular selectivity and generate new exclusion (for instance, in the case of women's prisons); thirdly, gender perspective addresses how the solution of some social problems affecting predominantly women are tackled.

b) Objectives concerning the development of skills:

With this module, we aim to provide students with a new critical perspective (i.e. gender perspective), to study the criminal system and its application.

c) Objectives centred on the learning of values:

This module will contribute to the learning of non-sexist values and respect towards gender diversity. All these will be used to delve into the development of the human rights culture.

Skills

- Ability to analyse and summarise.
- Carrying out the criminological intervention on the basis of the values of pacification, social integration and prevention of further conflicts.

- Developing critical thinking and reasoning and communicating them effectively both in your own and other languages.
- Drawing up an academic text.
- Reflecting on the foundations of criminology (theoretical, empirical and ethical-political ones) and expressing this in analysis and propositions.
- Respecting the diversity and plurality of ideas, people and situations.
- Using the evaluation techniques of criminogenic risk and needs of a person in order to decide an intervention proposal.
- Verbally transmitting ideas to an audience.
- Working autonomously.
- Working in teams and networking.

Learning outcomes

1. Ability to analyse and summarise.
2. Applying criminological interventions focused on peace, integration and social prevention criteria.
3. Carrying out criminological intervention proposals based on an evaluation and an effective needs assessment.
4. Developing critical thinking and reasoning and communicating them effectively both in your own and other languages.
5. Drawing up an academic text.
6. Respecting the diversity and plurality of ideas, people and situations.
7. Using the scientific knowledge for the analysis and resolution of crime situations.
8. Verbally transmitting ideas to an audience.
9. Working autonomously.
10. Working in teams and networking.

Content

1. Androcentrism in criminology and in the analysis of female crimes.
 - 1.1. Sexism and criminal law.
 - 1.2. Sexism and criminology
 - 1.3. Stereotypes about female crimes.
2. Women: women in prison.
 - 2.1 Historical perspective of women's prisons.
 - 2.2 Characteristics of women's imprisonment.
3. Contemporary problems of women's imprisonment.
 - 3.1 Migrant/foreign imprisoned women.
 - 3.2 Maternity and prison.
 - 3.3 Reintegration of imprisoned women.
4. Sex work, prostitution and women's trafficking.
 - 4.1 Feminist debates about prostitution and sex work. Abolitionist and pro-rights proposals.
 - 4.2 Legal regulation of prostitution. Prohibitionist, abolitionist and regulatory models.
 - 4.3 Public policies about women's trafficking and protection mechanisms.

- 5. Women's control over their bodies: abortion as a crime.
 - 5.1 Feminist recognition of abortion. Several viewpoints on the role of the State.
 - 5.2 Possible legal systems: the system of indications. Bio-ethics debate.
 - 5.3 The symbolic control of reproduction.
- 6. Sexual harassment and sexual violence against women.
 - 6.1 Definition of sexual harassment and sexual violence.
 - 6.2 Legal and social strategies of interventions in cases of sexual harassment.
 - 6.3 Sexual violence in armed conflicts.
- 7. Safety in terms of gender.
 - 7.1 Sexism in the conceptualisation of safety.
 - 7.2 Safety guidelines and planning with gender perspective.
- 8. Specific processes for female criminalisation.
 - 8.1 Young women and crime.
 - 8.2 Women and drugs.
- 9. Women's rights in criminal systems.
 - 9.1 Women's movements: epistemologies.
 - 9.2 Human rights with a gender perspective and the role of criminal justice.

Methodology

The methodology with use seminar discussions, individual and group presentations

Activities

Title	Hours	ECTS	Learning outcomes
Type: Directed			
Individual work	50	2	4, 3, 5, 9, 7
Lectures	22.5	0.9	2, 4, 3, 7
Type: Supervised			
Seminar	22.5	0.9	4, 6, 1, 8, 10
Work in groups	50	2	6, 1, 8, 10

Evaluation

Methodology

The course will be developed with the students' comments on readings and by presentation of the research projects as a starting point.

Assessment

Assessment will be ongoing. The assessment will be based on participation, group and individual work and the individual test. All submissions will be returned with corrections and feedback for improvement.

Requirements to pass the course

1. Conditions for assessment: 100% attendance in classes and active participation in class. Submission of individual and group work.
2. Requirements to pass the module: a minimum grade of 5 is required for each type of assessment activity to obtain a pass.

Resits

if a student does not pass any of the assessment activities, a resit will be granted. The resit for group work and participation will take place during the teaching term. Individual work and the final test will take place during the resit weeks.

Fraudulent conduct

Plagiarism in the submitted work and copying during the test will entail a grade of 0 in the module and a resit will not be allowed.

Evaluation activities

Title	Weighting	Hours	ECTS	Learning outcomes
Debats and participation	20%	1	0.04	2, 4, 6, 7
Individual work	60%	2	0.08	2, 3, 5, 1, 9
Working groups	20%	2	0.08	3, 6, 8, 10, 7

Bibliography

Compulsory readings

1. Maqueda, María Luisa, (2013) "El peso del género y otras identidades culturales en la criminalización de las mujeres", en: Lorenzo, P, Diversidad Cultural, género y derecho, Valencia: Tirant lo Blanc, pp. 571-604
2. Almeda, Elisabet, (2005), "Pasado y presente de las cárceles femeninas", Sociológica, n. 6, pp. 75-106
3. Ribas, Natalia, Almeda, Elisabet, Bodelón, Encarna (2005), Rastreado lo invisible. Barcelona: Anthropos.
4. Aida Roig Forteza (2013). "L'estigmatització de les dones consumidores d'heroïna", Revista Crítica Penal y Poder, nº 24, pp. 103-131.
5. Daniela Heim (2012): "Más allá del disenso, los derechos humanos de las mujeres en contextos de prostitución" en Derechos y Libertades, num.26, pp. 297-327.
6. Carlen, Pat (2012), "Women's Imprisonment", Revista Crítica penal y poder, no 3, pp. 148-157.
7. Dolores Juliano (2011): Presunción de inocencia. Riesgo, delito y pecado en femenino, Donostia: Tercera Prensa- Hirugarren Prentsa.

Other Readings.

AA.VV., (2011). Análisis socio-jurídico de la trata con fines de explotación forzada, Informe DESC, GENERA, ANTÍGONA.

Acale Sánchez, María (2006), La discriminación hacia la mujer por razón de género en el Código penal. Madrid.

Almeda, Elisabet (2003), Mujeres encarceladas. Barcelona: Ariel. Almeda, Elisabet, (2005), "Pasado y presente de las cárceles femeninas", Sociológica, n. 6, pp. 75-106

Almeda, Elisabet y Encarna Bodelón (2007), Mujeres y Castigo: un enfoque socio-jurídico y de género. Madrid: Dykinson, Instituto Internacional de Sociología Jurídica.

Arella, Celeste, Cristina Fernández Bessa, Gemma Nicolás Iazo, Julieta Vartabedian (2007), Los pasos (in)visibles de la prostitución. Estigma, persecución y vulneración de derechos de las trabajadoras sexuales en Barcelona. Barcelona: Virus.

Barcons Campmajó, Maria (2016): "Legislación y políticas públicas sobre matrimonios forzados en el Estado español" en La Barbera, MariaCaterina y Cruells López, Marta (coords.): Igualdad de género y no discriminación en España: evolución, problemas y perspectivas. Madrid: Centro de Estudios Políticos y Constitucionales. Ministerio de la Presidencia, pp. 425-451.

Barrère, M^a Ángeles (Maggy); Bodelón, Encarna; Gala, Carolina; Gil, Juana María; Morondo, Dolores; Rubio, Ana (2013): Assetjament sexual i assetjament per raó de sexe: actuació de les administracions públiques i de les empreses, Consejo General del Poder Judicial (C.G.P.J.).

Barañí, Equipo (2000), Mujeres gitanas y Sistema Penal Informe Barañí. Iniciativa DAPHNE de la Comisión Europea. Madrid

Bodelón, Encarna, (2009) "Los mujeres y las nuevas legislaciones sobre sus derechos: el caso del derecho a la seguridad". Revista Catalana de seguridad pública, nº 20, pp. 73-85.

Bodelón, Encarna (ed), (2012), Violencia de género y los sistemas penales. Buenos Aires: Editorial Didot.

Bodelón, Encarna; Marcela del Pilar Aedo Rivera, (2015). Las niñas en el sistema de justicia penal", Anales de la Cátedra Francisco Suárez, 49, 219-236.

Bodelón, Encarna y Gala, Carolina (2014): "Teoría y práctica de los protocolos frente al acoso sexual", Nueva revista española de derecho del trabajo, nº 162, marzo 2014, pp. 95-124.

Carlen, Pat (ed.) (2002), Women and Punishment. The struggle for justice. Devon, Oregon: Willan Publishing.

Chejter, Silvia, (1990), La voz tutelada. Violación y voyerismo, Buenos Aires: Biblioteca de Cecym.

Heidensohn, Frances, Gelsthorpe, Loraine, (2007). Gender and crime. In Mike Maguire, Rod Morgan, and Robert Reiner (Eds.), The Oxford handbook of criminology (4th ed., pp. 381-420). Oxford: Oxford University Press.

Heim, Daniela, (2011), "Autonomía de las mujeres y derecho a la salud sexual y reproductiva. Notas sobre la nueva regulación del aborto en España"; en Revista de Derecho Penal y Procesal Penal, Abeledo Perrot, Mayo de 2011, pp.800-805.

Heim, Daniela (2012), "Más allá del disenso, los derechos humanos de las mujeres en contextos de prostitución", en: Derechos y Libertades, Número 26, Época 2.

Hester Marianne (2015), "Reflections on criminal (in)justice in cases of rape", Papers from the British Criminology Conference, Vol. 15: 26-42

Igareda, Noelia, Encarna Bodelón, (2014), Las violencias sexuales en las universidades: cuando lo que no se denuncia no existe. Revista Española de Investigación Criminológica, 12.

Juliano, Dolores (2002), *La Prostitución: el espejo oscuro*. Barcelona: Icaria, Institut Català d'Antropologia.

Juliano, Dolores (2012), *Presunción de inocencia. Riesgo, delito y pecado en femenino*. Donostia: Gakoa

Laurenzo, Patricia; María Luisa Maqueda y Ana Rubio (2008), *Género, violencia y derecho*. Valencia: Tirant lo Blanch.

Lagarde, Marcela (1990), *Los cautiverios de las mujeres*. Madrid: Editorial Horas y horas.

López Precioso, Magdalena y Ruth Mestre Mestre (2006), *Trabajo sexual. Reconocer derechos*. Valencia: La Burbuja.

Maqueda Abreu, María Luisa (2014), *Razones y sinrazones para una criminología feminista*. Madrid: Dykinson.

Moreyra, María Julia (2007), *Conflictos armados y violencia sexual contra las mujeres*. Buenos Aires: Editores del Puerto.

Maqueda abreu, María Luisa (2009), *Prostitución, feminismos y derecho penal*. Granada: Comares.

Naffine, Ngaire, (1997). *Feminism and criminology*. St. Leonards: Allen and Unwin.

Nicoles Lazo, Gemma y Bodelón González, Encarna (eds.) (2009), *Género y dominación. Críticas feministas del derecho y el poder*. Barcelona: Anthropos.

Olmo, del. Rosa, (1998), *Criminalidad y criminalización de la mujer en la región andina*. Caracas: Nueva Sociedad.

Pitch, Tamar, (2003), *Un derecho para dos. La construcción jurídica de género, sexo y sexualidad*. Barcelona: Trotta. Trad. C. García Pascual.

Ribas, Natalia, Almeda, Elisabet, Bodelón, Encarna, (2005), *Rastreado lo invisible. Mujeres extranjeras en las cárceles*. Barcelona: Anthropos,

Rodríguez, Ricardo, Bodelón, Encarna, (2011), *No es no. Las violencias machistas contra las mujeres*. Barcelona: Servei de Publicacions. UAB.

Rubio, Ana (2008), "La teoría abolicionista de la prostitución desde una perspectiva feminista. Prostitución y política", en: *Género, violencia y derecho*. Valencia: Tirant lo Blanch, pp. 251-272.

Smart, Carol, (1994), "El derecho como una estrategia creadora de género", en: Larrauri, Elena, (comp), *Mujeres, derecho penal y criminología*, Madrid: Ed. Siglo XXI.

Smart, Carol, (1995), *Law, Crime and Sexuality. Essays in Feminism*. London: Sage.

Stanko, Elisabeth, (2009), "¿Se puede reducir el miedo a la delincuencia que tienen las mujeres?", *Revista Catalana de seguridad pública*, nº 20, pp. 47-6

Toledo, Patsili, (2014), *Feminicidio*. Buenos Aires. Ediciones Didot.

Patsilí Toledo Vázquez. Encarna Bodelón González, Neus Tur Bujosa, M. Jimena Martínez Berruete, (2016), *Marc jurídic internacional, estatal i autonòmic de les violències sexuals (matrimonis forçats, mutilacions genitals femenines, tràfic d'essers humans amb finalitat d'explotació sexual, assetjament i agressions sexuals)*. Barcelona, Institut Català de les dones.
(http://dones.gencat.cat/web/.content/03_ambits/docs/vm_abordatge_violenciessexuals_2.pdf)