

**Gender and Crime**

Code: 100453  
ECTS Credits: 6

Degree	Type	Year	Semester
2500257 Criminology	OT	4	1

**Contact**

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**Use of Languages**

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

**Prerequisites**

We recommend to have studied any module covering gender issues.

**Objectives and Contextualisation**

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.

**Competences**

- 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. Prevention and Safety in terms of gender.

7.1 Sexism in the conceptualization of safety.

7.2 Safety guidelines and planning with gender perspective.

8. Specific processes for female criminalization.

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

Each week a mandatory reading will be discussed and there will be a group presentation on a theme of the program.

During the course the individual work of the student will be developed, divided into a research work and a commentary about compulsory readings

The methodology will use seminar discussions, individual and group presentations

Annotation: Within the schedule set by the centre or degree programme, 15 minutes of one class will be reserved for students to evaluate their lecturers and their courses or modules through questionnaires.

## Activities

Title	Hours	ECTS	Learning Outcomes
Type: Directed			
Lectures	18	0.72	2, 4, 3, 7
Seminar	18	0.72	4, 6, 1, 8, 10
Type: Supervised			
Evaluation activities	5	0.2	2, 5, 1, 9, 7
Type: Autonomous			

Individual work	56	2.24	3, 5, 9
working groups	53	2.12	2, 6, 1, 8, 10

## Assessment

### 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: 80% 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

A student who cheats or tries to cheat an exam will have a 0 in the subject and will lose the right to reevaluation. A student who presents a practice in which there are signs of plagiarism or who cannot justify the arguments of his practice will get a 0 and will receive a warning. In case of repetition of the behavior, the student will fail the subject (0) and will lose the right to recovery.

Classes begin and end on time, and that, except in cases of force majeure, entry is not allowed once the class has started or before it ends.

## Assessment Activities

Title	Weighting	Hours	ECTS	Learning Outcomes
Debats and participation	10%	0	0	2, 4, 6, 7
Individual work	50%	0	0	2, 3, 5, 1, 9
Working groups	40%	0	0	3, 6, 8, 10, 7

## Bibliography

### Mandatory readings

1. Maqueda, María Luisa (2020). Trata prostitución forzada y esclavitud sexual de las mujeres. Bases para un debate libre de dogmatismos. *Revista de derecho penal*, 28, 213-223.

2. Hein, Daniela. (2019). *Feminismos y derecho penal: de las alianzas estratégicas al desarrollo de derechos*. Departamento Ciencias Sociales, Laboratorio de Estudios Sociales y Culturales sobre Violencias Urbanas. Universidad Nacional de Quilmes. *Cuestiones Criminales*, 2, 167-177.

[http://ugd/f455e4\\_971aef430dd54196b34abe35d1eba337.pdf](http://ugd/f455e4_971aef430dd54196b34abe35d1eba337.pdf)>[https://docs.wixstatic.com/ugd/f455e4\\_971aef430dd54196b34abe35d1eba337.pdf](https://docs.wixstatic.com/ugd/f455e4_971aef430dd54196b34abe35d1eba337.pdf)

3. Almeda, Elisabet (2017). Criminologías feministas, investigación y cárceles de mujeres en España. *Papers*, 102(2), 151-181 <http://dx.doi.org/10.5565/rev/papers.2334>

4. Roig, Aura (2013). L'estigmatització de les dones consumidores d'heroïna. *Crítica Penal y Poder*, 24, 103-131.

5. Heim, Daniela (2012). Más allá del disenso, los derechos humanos de las mujeres en contextos de prostitución. *Derechos y Libertades*, 26, 297-327.

6. Toledo, Patsili., Bodelón, Encarna., Tur, Neus i Martínez- Berruete, Jimena (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)*. Institut Català de les dones. ([http://dones.gencat.cat/web/.content/03\\_ambits/docs/vm\\_abordatge\\_violenciassexuals\\_2.pdf](http://dones.gencat.cat/web/.content/03_ambits/docs/vm_abordatge_violenciassexuals_2.pdf))

7. Bodelón, Encarna i Igareda, Noelia (2014). Las violencias sexuales en las universidades: cuando lo que no se denuncia no existe. *Revista Española de Investigación Criminológica*, 12, 1-27.

8. Navarro, Carmen (2018). *El encarcelamiento femenino* (pp. 69-103). Atelier.

#### Other readings

Almeda, Elisabet (2003). *Mujeres encarceladas*. Ariel.

Almeda, Elisabet & Bodelón, Encarna (2007). *Mujeres y Castigo: un enfoque socio-jurídico y de género*. Ed. Dykinson,

Arella, Celeste, Fernández-Bessa, Cristina, Nicolás, Gemma, & Vartabedian, Julieta, (2007). *Los pasos(in)visibles dela prostitución. Estigma, persecución y vulneración de derechos de las trabajadoras sexuales en Barcelona*. Ed. Virus.

Barcons, Maria (2016). Legislación y políticas públicas sobre matrimonios forzados en el Estado espanyol, en La Barbera, Maria Caterina y Cruells López, Marta (coords.): *Igualdad de género y no discriminación en España: evolución, problemas y perspectivas* (pp. 435-451). Centro de Estudios Políticos y Constitucionales. Ministerio de la Presidencia.

Barrère, M<sup>a</sup> 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.

Barañí [Equipo Barañí](2000). *Mujeres gitanas y Sistema Penal*. Informe Barañí. Iniciativa DAPHNE de la Comisión Europea.

Bodelón, Encarna (2009). Las mujeres y las nuevas legislaciones sobre sus derechos: el caso del derecho a la seguridad. *Revista Catalana de seguridad pública*, 20, 73-85.

Bodelón, Encarna (Ed), (2012). *Violencia de género y los sistemas penales*. Didot.

Bodelón, Encarna, & Aedo, Marcela (2015). Las niñas en el sistema de justicia penal. *Anales de la Cátedra Francisco Suárez*, 49, 219-236.

Bodelón, Encarna, & Gala, Carolina (2014). Teoría y práctica de los protocolos frente al acoso sexual. *Nueva revista española de derecho del trabajo*, 162, 95-124.

- Carlen, Pat (Ed.) (2002). *Women and Punishment. The struggle for justice*. Willan Publishing.
- Garrido, Lorena; Velocci, Clarisa y Valiño, Vanessa (Coord.) (2011). *Análisis socio-jurídico de la trata con fines de explotación forzada*. Informe DESC, GENERA, ANTÍGONA.
- Heidennsohn, Frances & Gelsthorpe, Loraine (2007). *Gender and crime*. M. Maguire, R., Morgan., R. Reiner (Eds.), *The Oxford handbook of criminology*, 4th ed. (pp. 381-420). 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. *Revista de Derecho Penal y Procesal Penal*, 5, 800-805.
- Heim, Daniela (2012). Más allá del disenso, los derechos humanos de las mujeres en contextos de prostitución. *Derechos y Libertades*, 26, 297-327.
- Hester Marianne (2015). Reflections on criminal (in)justice in cases of rape, *Papers from the British Criminology Conference*, 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, 1-27
- Juliano, Dolores (2002). *La Prostitución: el espejo oscuro*. Icaria, Institut Català d'Antropologia.
- Juliano, Dolores (2012). *Presunción de inocencia*. Riesgo, delito y pecado en femenino. Gakoa
- Laurenzo, Patricia, Maqueda, María Luisa, & Rubio, Ana (2008), *Género, violencia y derecho*. Tirant lo Blanch.
- Lagarde, Marcela (1990). *Los cautiverios de las mujeres*. Horas y horas.
- López-Precioso, Magdalena, & Mestre, Ruth (2006). *Trabajo sexual. Reconocer derechos*. La Burbuja.
- Maqueda, María Luisa (2014). *Razones y sinrazones para una criminología feminista*. Dykinson.
- Moreyra, María Julia (2007). *Conflictos armados y violencia sexual contra las mujeres*. Editores del Puerto.
- Maqueda, María Luisa (2009). *Prostitución, feminismos y derecho penal*. Comares.
- Naffine, Ngaire, (1997). *Feminism and criminology*. Allen and Unwin.
- Nicolas, Gemma & Bodelón, Encarna (Eds.) (2009). *Género y dominación. Críticas feministas del derecho y el poder*. Anthropos.
- Olmo, Rosa (del) (1998). *Criminalidad y criminalización de la mujer en la región andina*. Nueva Sociedad.
- Pitch, Tamar (2003). *Un derecho para dos. La construcción jurídica de género, sexo y sexualidad*. Trotta. [Trad. C. García Pascual].
- Ribas, Natalia, Almeda, Elisabet, Bodelón, Encarna, (2005). *Rastreado lo invisible. Mujeres extranjeras en las cárceles*. Anthropos,
- Rodríguez, Ricardo & Bodelón, Encarna, (2011). *No es no. Las violencias machistas contra las mujeres*. Universitat Autònoma Barcelona.
- Rubio, Ana (2008). La teoría abolicionista de la prostitución desde una perspectiva feminista. Prostitución y política. R. Aponte; M. Femenías (Eds.) *Género, violencia y derecho* (pp 251-272). Tirant lo Blanch.
- Stanko, Elisabeth (2009). ¿Se puede reducir el miedo a la delincuencia que tienen las mujeres?. *Revista catalana de seguridad pública*, 20, 51-65.
- Toledo, Patsili (2014). *Feminicidio*. Didot.

## **Software**

It is not needed