Transgressive Imaginations

Crime, Deviance and Culture

Enterprising Women Making Art

Maggie O'Neill and Lizzie Seal

Transgressive Imaginations

Crime, Deviance and Culture

Maggie O'Neill
Durham University, UK

and

Lizzie Seal
Durham University, UK

Critical Criminological Perspectives

The Palgrave *Critical Criminological Perspectives* book series aims to showcase the importance of critical criminological thinking when examining problems of crime, social harm and criminal and social justice. Critical perspectives have been instrumental in creating new research agendas and areas of criminological interest. By challenging state defined concepts of crime and rejecting positive analyses of criminality, critical criminological approaches continually push the boundaries and scope of criminology, creating new areas of focus and developing new ways of thinking about, and responding to, issues of social concern at local, national and global levels. Recent years have witnessed a flourishing of critical criminological narratives and this series seeks to capture the original and innovative ways that these discourses are engaging with contemporary issues of crime and justice.

Series editors:

Professor Reece Walters
Faculty of Law, Queensland University of Technology, Australia

Deborah Drake
Department of Social Policy and Criminology, The Open University, UK

Deborah Drake
PRISONS, PUNISHMENT AND THE PURSUIT OF SECURITY

Maggie O'Neill and Lizzie Seal
TRANSGRESSIVE IMAGINATIONS
Crime, Deviance and Culture

Also by Maggie O'Neill

ASYLUM, MIGRATION AND COMMUNITY

PROSTITUTION
Sex Work, Policy and Politics (*co-authored with T. Sanders and J. Pitcher*)

PROSTITUTION AND FEMINISM

SEX WORK NOW (*co-edited with Rosie Campbell*)

PROSTITUTION
A Reader (*co-edited with Roger Matthews*)

DILEMMAS IN MANAGING PROFESSIONALISM AND GENDER IN THE
PUBLIC SECTOR (*co-edited with Mike Dent and Jim Barry*)

ADORNO, CULTURE AND FEMINISM

Also by Lizzie Seal

WOMEN, MURDER AND FEMININITY
Gender Representations of Women who Kill

To Steve, Patrick and James
To Damien

Acknowledgements

Contents

1
Exploring the Transgressive Imagination

Introduction

Transgressive Imaginations focuses upon the breaking of rules and taboos involved in 'doing crime', including violent crime, as represented in fictive texts and ethnographic research. Here transgression is understood not only as exceeding boundaries or limits (Jenks, 2003, p. 7) but as resistance, protest and escape. Particular emphasis is placed upon the spatial, temporal and sensory dimensions of 'doing crime', 'deviance' and 'social control' in an era of globalisation, as well as 'the mediated construction of crime and crime control' (Ferrell 1999, p. 395) and the portrayal of 'heroes' and 'villains' in different cultural forms.

Building upon our own research on and with marginalised and criminalised groups, this book seeks to facilitate better understanding of transgressive acts and how they are perceived through critical, cultural criminological analysis. We explore contemporary and historical 'transgressive imaginations' in relation to the 'outsider', the 'criminal' and the 'deviant' through the genres of art, film, literature and ethnographic research. A key feature of the book is to examine the various ways in which 'outsiders' are re-presented in these genres.

In addition to deconstructing restrictive portrayals, including the way that some of those who transgress societal norms are labelled as mad, bad and abject, we also look for the radical democratic possibilities that certain cultural representations and criminological analysis can offer, whether this is through research that challenges restrictive stereotypes and normative assumptions, or the means through which

those labelled 'outsiders' defy their marginalisation. Therefore, we do not assume that cultural representations of 'crime' and 'deviance' are always and automatically supportive of culturally dominant or conservative positions – and we highlight in the following chapters the radical democratic potential of cultural criminology.

This introduction sets the scene for the book and contextualises the chapters within the field of critical and cultural criminology, including concepts such as 'the carnival of crime' (Presdee, 2000); transgression as a mode of protest and escape; the 'glamorisation' of crime in contemporary society; crime, deviance and social control (Redhead, 1993, 1995, 2004; Ferrell and Sanders, 1995; Young, 1999, 2004a, 2007; Ferrell, 1999; Ferrell et al., 2004; Greer and Jewkes, 2004; O'Brien, 2005) and the social and moral construction of 'abjection' (Kristeva, 1982). Topical subjects are explored that portray different examples of transgression in order to gain an understanding of the multiple ways in which moral boundaries are transgressed by people of different ages, genders, ethnicities and socio-economic positions. In this chapter, we introduce the theories and concepts used to undertake analysis of cultural representations of those labelled deviant, criminal or outsiders, and provide an account of the theoretical underpinnings of the book.

Transgressive Imaginations adds to the literature in the field of cultural criminology by developing cultural criminological analysis of discourses and representations of 'outsiders' in fictive and ethnographic texts. In doing so, it identifies the ways in which 'imagining deviance' works to construct or challenge 'moral boundaries' in society and the ways in which fictive texts contribute to popular understandings of 'folk heroes', 'folk devils' and 'moral panics'. Crime and deviance are culturally embedded both in the imagination and in material practices. The book explores the organisation, operation and consequences of some of the agencies of social control, such as schools, psychiatric hospitals, border control agencies, the criminal justice system, and their intersection with popular understandings and lived experience. The concepts of transgression and imagination are pivotal to the work we present here, and are outlined in the next two sections.

Transgression

Transgression is a key feature of contemporary life – whether it is to transcend limits, to engage in edgework or in the carnivalesque

(Jenks, 2003). Transgression may result from a desire to transcend the everyday and the culturally prescribed, or it may be a consequence of being perceived to evade established categories. Writings by Bakhtin (1984), Foucault (1977) and Stallybrass and White (1986) have been particularly influential in foregrounding transgression as an analytical category. Jenks (2003, p. 7) defines transgression as

> a dynamic force in cultural reproduction – it prevents stagnation by breaking the rule and it ensures stability by reaffirming the rule. Transgression is not the same as disorder; it opens up chaos and reminds us of the necessity of order. But the problem remains. We need to know the collective order, to recognise the edges in order to transcend them.

From Jenks' definition, it is clear that transgression can have both liberating effects and severe consequences. It can be liberating to 'break the rule' and to find and go beyond the edges of acceptability. To do so potentially offers new ways of constituting social identities and new ways of living and engaging with others. This is exemplified by Lyng's (1990) notion of 'edgework', where individuals voluntarily participate in risky activities, such as skydiving, in order to negotiate 'the boundaries between chaos and order' (p. 855) and to 'test the limits of body or mind' (p. 858). Engagement in such transgressive activities can be exciting, but it can also be a moment of resistance. Ferrell, Milovanovic and Lyng's (2001, p. 180) ethnography of BASE jumping (illegal parachuting) highlights how edgework 'offer[s] a glimpse of alternative, nomadic ways of being that emerge and become visible inside, but to some degree outside, an actuarial order'. Located within the risk-averse culture of twenty-first century America, the BASE jumpers 'experience brief, sensual visceral and adrenalin intensities' (p. 181) that create moments of transcendence.

Presdee (2004) utilises Bakhtin's (1984) concept of the 'carnivalesque', acts or events that turn the world upside down and reverse established hierarchies, enabling the questioning of the 'supremacy of any authority' (Presdee, 2004, p. 41). As carnivals were officially sanctioned times of revelry, they did not represent the overthrow of the established order but did allow 'those normally excluded from the discourse of power [to] lift their voices in anger and celebration' (p. 42).

According to Presdee, the carnivalesque has largely disappeared from the dominant mass culture of the present day and consequently emerges instead in criminal behaviour such as joyriding (taking cars and racing them), which is 'a challenge to death and to authority' (p. 50). Joyriding turns the world upside down as unemployed, working-class young men race highly expensive prestige cars of the kind they could never afford. Participation in racing teams demonstrates group belonging and constructs 'an identity of excitement and opposition' (ibid., p. 51).

The concepts of edgework and the carnivalesque highlight the excitement of transgression and its possibility as a form of resistance. The participants in BASE jumping and joyriding have chosen to engage in these activities and understand that they are breaking the rules – this is their appeal. However, crossing boundaries and exceeding limits is not something that groups and individuals perceived as transgressive always want or intend, but is something which occurs when they are seen as 'out of place'. Drawing on Stallybrass and White (1986), Cresswell (1996, p. 9) argues that 'the margins can tell us something about "normality"', as the attempt to keep things in their right place highlights the otherwise taken-for-granted discourses and ideologies that underpin the normative. For Cresswell (1996, p. 10) 'transgressive acts prompt reactions that reveal that which was previously considered natural and commonsense'.

In the early 1980s in New York, the mayor introduced an 'anti-loitering' law (which was subsequently overturned), targeted at homeless people using Grand Central Station as a place of shelter. Speaking in defence of the law, the mayor, Ed Koch, stated use of 'commonsense' made it obvious who the homeless people in the station were, and that they were not there in order to travel. As Cresswell (1996) argues, there were many reasons why people not intending to travel might be in Grand Central, such as admiring the architecture or buying flowers from a stall. Mayor Koch's assertions about homeless people revealed that they exceeded the limits of whose presence was considered acceptable in public space. However, the homeless people were not intentionally resisting society's dominant values and most of their actions were 'simply strategies for survival' (ibid., p. 4). Indeed, their inability to be other than out of place augmented their transgression and, unlike the BASE jumpers and joyriders, being homeless was not an identity of group belonging (this

is not to suggest homeless people are without identity or culture; on this see Ferrell, 2006).

Transgression entails crossing the boundaries of acceptability but it does not necessarily connote edgework and the carnivalesque, as useful as these concepts are. Transgressors do not always choose to be seen as such, or employ transgressive behaviour as a mode of resistance. They may not even recognise their own transgression (Butler, 1997). As Jenks (2003, p. 8) states, transgression more often 'resides within the context of the act's reception'. Clearly, too, the transgressive are often not attractive or easy to sympathise with, particularly when their behaviour is violent and harmful to others (Hall and Winlow, 2007). However, this type of transgression is also worthy of examination for what it reveals about the values of the collective order.

If we further unpack the earlier quote from Jenks (2003, p. 7), the flipside of transgression is the reaffirmation of the shared values of the social order. Through exceeding social and cultural boundaries, transgression completes them (ibid.). However, the values that constitute the boundaries are not universally agreed and accepted. They shift and change over time, and are to some degree porous (Walkowitz, 1992). Seal (2010) examines transgression in relation to gender representations of women who kill – who, in committing fatal violence, contravene norms of femininity. This violation of gender boundaries highlights norms such as violence as an attribute of masculinity, and femininity as connoting 'nurturance, gentleness and social conformity' (ibid., p. 1). Analysis of particular cases reveals how they can become sites of contention over the meaning of not only gender, but also sexuality, family, nationality and respectability. Cases highlight anxieties about shifting cultural boundaries, but also demonstrate that change is taking place (Shapiro, 1996). Women's 'deviant' sexuality was often significant to their representation in murder trials in 1950s Britain, which can be understood as the criminal justice system reaffirming the dominant contemporary gender norm of the married mother. However, attempts to shore up this idealised version of femininity reveal the mid-twentieth century undercurrents of social and cultural change in relation to, for example, women's sexual behaviour and their increased presence in public space (Seal, 2010). Therefore, transgression only partly reaffirms the rule. It also shows that the rule is not fixed and is open to change.

A related concept to the cultural constructions of transgression documented above is the 'abject'. For Kristeva (1982, p. 2), the abject has to do with what 'disturbs identity, system, order. What does not respect borders, positions, rules. The in-between, the ambiguous, the composite.' It constitutes the horror of a breakdown in meaning whereby there is a loss of distinction between subject and object, or self and other. Kristeva highlights the pile of shoes at Auschwitz which draws attention to a breakdown in order and rule but also highlights the fragility of the law. And, deeply implicated with the abject is 'jouissance', for understanding the concept of the abject also brings awareness that we are drawn to the abject by a mix of both fascination and desire. 'One does not know it, one does not desire it, one joys in it [*on en jouit*]. Violently and painfully. A passion' (Kristeva, 1982, p. 9).

For example, Chapter 2 examines the liminality of children who kill, who evade the boundaries of childhood by outraging notions of innocence. Its particular focus is the school shooter, who occupies the liminal category of adolescence, in-between childhood and adulthood. In Chapter 4 we find that dominant representations of the prostitute in cultural texts include a focus upon the prostitute as body-object and as abject-body operating in liminal spaces and places at the margins of legality – the street, alleyways, industrial areas and brothels. This chapter argues that such representations, particularly of street 'prostitutes', are maintained through and by a set of relatively self-sustaining discourses and images linked to the commodification and aestheticisation of the female body in prostitution. These representations, found in the mass media and in filmic texts, serve to reinforce the stereotype of the prostitute as a sex object – a body-object symbolised by certain images and tropes in the public imagination. The prostitute is the salesperson and commodity in one; she is both an organic body (a subject) and a commodity (an object). In the public imagination the prostitute as abject-body symbolises dirt, decay, corruption *and* is also an instrument of pleasure, of thrill, frission and (illicit) desire. Stallybrass and White (1986, p. 137) argue '[i]t was above all around the figure of the prostitute that the gaze and touch, the desires and contaminations, of the bourgeois male were articulated'. We find in the cultural history of prostitution that the prostitute is a body-object symbolised by liminality, abjection, commodification and desire. Moreover, this sets up a bifurcation around

the bad, fallen, lower-class/under-class, polluted, diseased body in contrast with the good, pure 'woman', who is a loving wife, partner and mother. Around this binary the whore stigma is built and sustained and these contradictory discourses have led to the ongoing regulation of prostitution and the bodies of prostitutes (Corbin, 1990). Transgression, abjection, pleasure and desire are of course intimately related to the power of the imagination and the imaginary.

Imagination: Towards a radical democratic imaginary

Our focus on re-presentation in art, fictive texts and ethnographic research means that what Young (1996) terms 'imagining crime' is central to our analysis. Young (1996, p. 16) defines the 'imagined' as 'the written and the pictorial: the linguistic turns and tricks, the framing and editing devices in and through which crime becomes a topic, obtains and retains a place in discourse'. She highlights the need for criminologists to pay attention to the representation of crime, particularly given the ubiquity of its images and stories (Young, 2008). As Clarke (2001, p. 72) points out, the news reporting of crime is 'outweighed by the huge range of fictional representations of crime that circulate in television drama, films and books'. Rafter (2007) terms these representations 'popular criminology', which has a bigger audience and therefore greater social significance than academic criminology. The scope of these popular representations is also larger, as they can engage simultaneously with the psychological, philosophical and ethical aspects of crime and criminality. Crime is therefore represented and consumed as part of popular culture. Psychosocial analysis explores how crime as entertainment satisfies the need for emotionality and excitement (Gadd and Jefferson, 2007). Analysis of the seductions of crime and 'those moments of voluntary illicit risk taking' (Ferrell, Milovanovic and Lyng, 2001, p. 177) reinforce that transgression can be exciting and pleasurable, which is especially relevant to the consumption and enjoyment of crime as popular culture. As stated before, the carnivalesque symbolises rebelliousness and resistance, the world turned upside down (Presdee, 2004). Cultural representations of crime and deviance offer a vicarious means of experiencing this.

There is an urgent need to think through the 'implications of the cultural fascination with crime' (Young, 2008, p. 19). Crucially,

criminologists must acknowledge that 'everyday life is lived in the imaginary' (ibid., p. 27). The reactions of a viewer or reader to representations of crime, deviance and transgression are part of their everyday lived experience of these phenomena (ibid.), and 'draw on and add to the repertoire of images, ideas and meanings that are available to us about crime' (Clarke, 2001, p. 73). The ways in which we imagine the 'outsider' are imbricated in the various measures of social control and sanctions that society employs to deal with them (Rafter, 2006; Melossi, 2008), and these measures become particularly acute when outsiders are imagined to be dangerous or polluting. We examine this inter-relationship in the chapters in this volume with particular emphasis upon children, women, the mad, the bad and the outlaw as outsiders. We also make a case for the importance of cultural criminology in developing a radical democratic imaginary, in enabling us to think otherwise, and in facilitating public scholarship on these cultural issues.

For Cornell (2006, p. 31) 'the imaginary domain is a moral and psychic space that is necessary in order to keep open and rework the repressed elements of the imaginary'. O'Neill (2010b) has argued, drawing upon Cornell (1995, 2006) and Smith (1998), for a radical democratic imaginary in our work as critical and cultural criminologists. It is crucial to open and keep open the space for 'the circulation, radicalisation and institutionalisation of democratic discourse' (Smith, 1998, p. 7) and 'knowledges of resistance' (Walters, 2003, p. 166). O'Neill argues that methodologies incorporating the voices of citizens through participatory methodologies can enlighten and raise awareness but also crucially create and sustain spaces for democratic discourse, uncover hidden histories and produce critical reflexive texts that may help to mobilise social change. Methodologically, the doing of cultural criminology examines how crime is constructed, made, understood and experienced whether through historical analysis and uncovering hidden histories, ethnographic and participatory research, or analysis of media and cultural forms and practices. In the following section, we explore the emergence and development of cultural criminology, and review the contribution it has made to the wider discipline. We outline its methodological and analytical toolkit, and consider some of the critiques of cultural criminology.

Crime, deviance and cultural criminology

We understand cultural criminology as 'the many ways in which cultural dynamics intertwine with the practices of crime and crime control in contemporary society' (Ferrell, Hayward and Young, 2008, p. 4). There is a focus on the everyday meanings of crime and crime control – as they emerge in the media, city and urban spaces, and as part of globalisation (Ferrell et al., 2004). Methodologically, historical, archival, ethnographic, textual and visual analyses are most commonly used. What we find in this literature is the argument that crime is produced or constructed through social relations and that cultural expressions can themselves be criminalised (Ferrell, 1993). As discussed, there is a major focus upon transgression and transgressive acts and the ways in which boundaries shape and constrain us, meaning that 'transgression' and 'limit' are central concepts. Through a range of examples, *Transgressive Imaginations* examines where boundaries are crossed and how deviance is created.

Cultural criminology is a relatively young sub-field in the discipline. Its intellectual roots can be found in the work of the Birmingham Centre for Contemporary Cultural Studies (Hall and Jefferson, 1976; Hall et al., 1978; Willis, 1978; Hebdige, 1979), particularly in terms of the focus on subculture and style; the National Deviancy Conference, which sought to radicalise British criminology (Cohen, 1971; Taylor, Walton and Young, 1973); and the subsequent tradition of critical criminology, which also incorporated feminist, anti-racist, queer, postcolonial and postmodern approaches. In the US it emerged out of symbolic interactionist and ethnographic approaches to crime and deviance, particularly the work of Jack Katz (1988, 1999), Stephen Lyng (1990, 1998) and Jeff Ferrell (1993, 1999, 2001). In the 1990s, a distinctive 'cultural criminology' emerged at the intersections of postmodernism, ethnography, critical/theoretical criminology and subcultural theory. Ferrell and Sanders (1995, p. 297) offered a 'prospectus for an emerging cultural criminology', which was born out of the 'cross fertilization' of criminology with other disciplines and approaches rooted in Ferrell's earlier work.

The cultural turn in sociology and criminology can be charted by looking at the importance of Marxism to the development of British cultural studies and the means by which ethnography emerged as