DURKHEIM'S LATENT THEORY OF GENDER AND HOMICIDE

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Emile Durkheim usually neglected gender differences in his discussions of law, punishment and crime, but he did provide a few noteworthy comments on the relationship between gender and homicide. He argued that women commit more intentional homicides than is commonly acknowledged, and he offered a partial explanation of why women, nonetheless, tend to commit fewer homicides than men. In this article, I examine Durkheim’s comments on the gender/homicide relationship and explore the ‘conservatism’ of his viewpoint on gender. While some of his comments certainly are controversial and empirically questionable, they are significant in that they provide greater insight into early criminological thought on gender and crime. They also help clarify the scope and content of Durkheim’s overall criminological perspective. Among other things, they indicate that the variables of gender and opportunity have a noteworthy place within his perspective, and that the importance he attributes to anomie as a causal factor has been exaggerated by the literature of criminology.

Introduction

The work of Emile Durkheim certainly occupies a noteworthy place in the literature of criminology. His theories of law, punishment and crime (at least homicide) are highly integrated and remarkably ambitious in their historical scope. Yet, despite Durkheim’s prominence as a sociologist, and despite the numerous studies that have attempted to test his theories, much of his criminological perspective remains poorly understood and underdeveloped. This article represents a step toward correcting this problem. It represents an effort to exhume, elaborate and hopefully draw some attention to Durkheim’s theory of gender and homicide—a theory that has existed in a latent form for over a century and yet has received almost no attention from criminologists.

The objectives of this article are twofold. My first and primary objective is to identify the core concepts and propositions of Durkheim’s theory of gender and homicide. Because he presented this theory in a fragmented, incomplete and somewhat ambiguous manner, it is necessary to examine not only his explicit statements concerning the gender/homicide relationship, but also his general theory of homicide and his theory of gender role evolution. These latter theories are needed to fill conceptual gaps, clarify vague statements and develop the evolutionary dimension of his theory. My second objective is to explicate the mix of conservative, liberal and potentially feminist contents that are evident in Durkheim’s reasoning. An understanding of the somewhat mixed nature of his gender viewpoint is necessary to avoid an excessively critical response to the conservatism of his theory of gender and homicide.

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To avoid confusion, it perhaps is necessary to note a few additional points regarding the purpose of this article. To begin, I believe the subject matter and conclusions should be of historical interest to criminologists. They are important for an adequate understanding of Durkheim’s overall criminological perspective and early criminological thought on gender and homicide. This, of course, does not mean that Durkheim’s theory of gender and homicide is empirically sound; and I do not wish to suggest that in its original form it can compete with contemporary accounts of this relationship. The issue of the empirical accuracy of his arguments is simply beyond the scope of this article. Moreover, in presenting Durkheim’s arguments, I made no attempt to water down his statements so that they are more consistent with contemporary academic sensibilities. On this matter, I am inclined to accept the same position as Karen Fields (1995: lix): ‘I cannot be in the business of rehabilitating Durkheim’s unenlightened attitudes about women. If sufficient to sink to him forever, they should be allowed to.’ Yet, it also should be noted that my goal is not merely to critique and dismiss Durkheim for being unenlightened. On the contrary, I conclude that a rudimentary nineteenth-century egalitarian current can be found among his patriarchal contentions.

This article consists of four parts. In the first part, I outline Durkheim’s general theory of homicide; in the second, I outline his theory of gender role evolution. In the third part, I use these theories to elaborate his specific comments on the gender/homicide relationship and attempt to derive a Durkheimian theory of historical variation in this relationship. In the final part, I note some of the conservative and liberal contentions of Durkheim’s work, and I address the relationship between his perspective and the late-nineteenth-century French tradition of ‘familial feminism’.

**Durkheim’s General Theory of Homicide**

To exhume and elaborate Durkheim’s largely implicit explanation of the gender/homicide relationship, it first is necessary to have a clear understanding of his general theory of homicide. Unfortunately, several contradictory versions of his general theory have been presented in the literature of criminology (e.g. Krohn 1978; Messner 1982; Huang 1995), and the seemingly more popular versions oversimplify and distort his arguments. For this reason, I will begin by providing a brief overview of Durkheim’s general theory of homicide and, in the process, will attempt to point out some of the common myths surrounding his theory. The following overview is consistent with and based largely on a recent and considerably more detailed examination of Durkheim’s theory of homicide (see DiCristina 2004).

First, Durkheim ([1897] 1951: 342, 356; [1900] 1957: 119) generally viewed homicide as an intentional act that is ‘inseparable from passion’. Thus, his general theory of homicide is primarily an explanation of ‘unpremeditated murder’, which he defines as ‘simple intentional homicide without aggravating circumstances such as premeditation or prearrangement’ (Durkheim [1897] 1951: 342). In other words, his theory has little to say about involuntary manslaughter and, at best, is only a partial explanation of ‘premeditated murder’—a crime that sometimes ‘depends on other

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1 The more popular formulations of Durkheim’s theory emphasize a positive relationship between societal development and homicide rates. As noted below, such formulations misrepresent his theory.
factors than those determining homicide’ (Durkheim [1897] 1951: 348–9). Accordingly, Durkheim ([1897] 1951: 349) concluded, ‘The evolution of the trend of homicide cannot therefore be best observed through the variations of premeditated murder; its general orientation is better brought out by the curve of unpremeditated murder’. (Throughout the remainder of this paper, homicide is conceived foremost as unpremeditated murder.)

Secondly, contrary to many interpretations of Durkheim’s work, his general theory of homicide suggests an overall negative relationship between the level of societal development and actual homicide rates. According to Durkheim ([1897] 1951; [1900] 1957; [1900] 1969), as societies develop, shared feelings of respect for religion (religion proper), government, family and other ‘collective things’ tend to lose some of their intensity; this reduces a major source of homicidal passions. At the same time, shared feelings of respect for the lives, possessions, freedom and honour of individuals (collective sentiments of the ‘religion of humanity’) tend to become stronger; this provides greater restraint over the homicidal passions that remain. Thus, given Durkheim’s theory, actual homicide rates should be lower in ‘organized societies’ (industrial or modern societies) than in ‘segmentary societies’ (pre-industrial or pre-modern societies), other things being equal.  

Thirdly, Durkheim arguably came to regard the decline of collective sentiments related to collective things as the primary reason for the negative relationship he and others perceived as existing between societal development and homicide. Initially, in Suicide ([1897] 1951: 356), he suggested that the development of the religion of humanity (collective sentiments related to ‘the individual’) was the most important factor in explaining variations in homicide rates. However, in a lecture published in Professional Ethics and Civic Morals ([1900] 1957: 114–17), he explicitly noted that variations in feelings for collective things are the more important determinant. With this shift in emphasis, Durkheim ([1900] 1957; [1900] 1969) maintained a high degree of consistency between his explanation of declining homicide rates and his explanation of the declining severity of punishment. He explained both phenomena mainly in terms of weakening feelings for collective things rather than the correlated strengthening of feelings for humanity.

Fourthly, and again contrary to much of the criminological literature, Durkheim did not conclude that the level of societal development has the same effect on both homicide and property crime. The contention that, according to Durkheim, both kinds of crime increase with modernization clearly is a distortion of his work. As just noted, he concluded that homicide rates generally decline with societal development; on the other hand, he suggested that we should not be surprised by an increase in property crime rates. This is evident in a statement he made in The Division of Labor in Society: ‘Because there are now more ways in which property may be acquired, there are likewise more categories of theft’ (Durkheim [1893] 1984: 108). Presumably, if there are more ways to acquire property, there are more opportunities for property crime; likewise, if there are more categories of theft, acts that formerly were not theft or were impossible may now be included in the theft rates. Either way, this seems to imply that

2 In his description of premeditated murder, Durkheim ([1897] 1951: 349) commented, ‘Sometimes it is merely a more deliberate and intentional murder, sometimes only the incident of a crime against property.’

3 Durkheim implied that this negative relationship may be obscured by the expansion of criminal laws prohibiting homicide, variations in the level of anomie, and perhaps even variations in the degree to which labour is forced, the age distribution of society, and the participation of women in collective life.

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we should not be surprised by a positive relationship between societal development and property crime rates.

Fifthly, while Durkheim ([1897] 1951; [1900] 1957) suggested that both the level of societal development and the rate of social change influence homicide rates, he implied that the level of societal development is the more important variable. In other words, the decline of collective sentiments related to collective things and the rise of the religion of humanity—two phenomena that generally accompany societal development—are more important determinants of homicide than anomie—a phenomenon that generally accompanies abrupt social change. Nowhere in his work have I seen the suggestion that anomie is the most important cause of homicide. This discounting of anomie may surprise some criminologists, but it is unlikely to surprise scholars who have carefully examined Durkheim’s work. For instance, when commenting on the importance of anomie within Durkheim’s writings, Philippe Besnard (1988: 92) concludes that ‘anomie is only a minor and fleeting theme in Durkheim’s works, and, in addition, an insufficiently elaborated one’.5

Finally, Durkheim’s discussions of societal development generally centred on distinctions between organized society and various levels of segmentary society—such as the ‘ancient’ societies of Egypt and India, the city-states of Athens and Rome, and pre-industrial Christian societies. Accordingly, when applying his theory to explain homicide variations in a ‘single society’ at different points in time (and contrary to some of his own research on this matter), the time frame ideally should extend to several centuries, not just a few decades.


\textit{Durkheim’s Theory of Gender Role Evolution}

The exhumation and elaboration of Durkheim’s theory of gender and homicide also require an understanding of his theory of gender role evolution. Although his comments on this subject are brief and somewhat inconsistent, it nonetheless is possible to piece them together and arrive at a noteworthy historical perspective. In this section, this perspective is outlined. The reader will note that his theory of gender role evolution embodies propositions that offend contemporary cultural sensibilities regarding gender equality. This matter is addressed later in this article. My first concern is to present his theories accurately; only after this is completed is it reasonable to judge them and to address judgments of them.

To begin, in \textit{The Division of Labor}, Durkheim ([1893] 1984: 17–22) concluded that the ‘sexual division of labor’ increased with social evolution. In describing this change, he began by noting that the physical differences between women and men increased as societies developed. He commented that since ‘prehistoric’ times, the strength of women has declined relative to the strength of men. He suggested that the brain size of women has declined relative to that of men. Later

\footnote{Durkheim used the term anomie in significantly different ways. In this article, I will be focusing on his conceptualization of anomie in \textit{Suicide} rather than \textit{The Division of Labor}, since it is in the former work that he specifies a relationship between anomie and homicide.}

\footnote{Besnard (1988: 94) also argues that the popularity this concept (anomie) ‘was the result of an intellectual fashion within the field of sociology’, a fashion that stems in part from the competition that existed between Harvard sociologists and the Chicago School during the 1930s.}

\footnote{In the text of his work, Durkheim ([1893] 1984) refers to ‘Dr Lebon’ only, yet it seems clear he was referring to Gustave Le Bon (see Roth 1989–90; Wagner 1993). Gerhard Wagner (1993), criticizing Durkheim, has suggested that this ‘error’ may have been intentional.}
in this same work, Durkheim commented that women received fewer benefits from the ‘civilising process’ and are less civilized than men. In his words: ‘She more recalls certain characteristics to be found in primitive natures’ (p. 192).7

For Durkheim ([1893] 1984: 17–22), the growing physical differences between women and men correspond to growing functional differences. He held that in simple segmentary societies, women and men often fulfilled similar functions and led ‘roughly the same kind of existence’; a kind of ‘primeval homogeneity’ existed among them.8 In support of this conclusion, he provided examples of societies in which women were actively involved in political life and wars. However, with social development, the sexual division of labour became more elaborate, with the roles of women and men becoming more specialized:

Nowadays, among civilised peoples the woman leads an existence entirely different from man’s. It might be said that the two great functions of psychological life had become as if dissociated from each other, one sex having taken over the affective, the other the intellectual function (Durkheim [1893] 1984: 20).

As conceived by Durkheim ([1893] 1984: 20–2), the affective functions appear to consist of family duties and, increasingly, aesthetic pursuits (e.g. art and literature), whereas the intellectual functions appear to consist of economic, political and scientific activities. Durkheim implied that this sexual division of labour is a positive development, since the complementary differences it entails are a source of organic solidarity.

In Suicide, Durkheim ([1897] 1951: 384–6) provided a few additional comments on gender role evolution. In his discussion of how we should reduce suicides caused by ‘matrimonial anomy’ (‘conjugal anomy’), he again emphasized that women and men are different, and that they ‘do not share equally in social life’ (p. 385). Consistent with his earlier work, he maintained that women have ‘remained to a far greater extent the product of nature’ (i.e. the product of their ‘organism’), while men are ‘much more highly socialized’, being ‘almost entirely the product of society’. Likewise, he suggested that the differences between women and men increased with social evolution,9 and that some differences might continue to increase as organized societies develop. And, once more, he implied that women might come to dominate the ‘aesthetic functions’ of life, whereas men may become more exclusively ‘absorbed by functions of utility’.

However, in this work, Durkheim ([1897] 1951: 384–6) also stated that women may come to play a ‘more active and important’ role in organized societies. The differences between women and men may continue to increase, but the unique characteristics of women ‘will become of greater social use than in the past’ (p. 385). For instance, referring to gender role differences between urban and rural areas, he states that ‘Woman differs from man much more in cities than in the country; and yet her intellectual and moral constitution is most impregnated with social life in cities’ (pp. 385–6). In short, Durkheim anticipated that women and men will become ‘socially equalized, but in different ways’ as organized societies develop. Likewise, he expected more equality of opportunity, although he added that due to differences in ‘aptitudes’, women and men would continue to serve different functions.

8 Elsewhere in The Division of Labor, Durkheim ([1893] 1984: 207) noted: ‘Constitutionally a woman is predisposed to lead a life different from that of a man. Yet there are societies where the occupations of both sexes are appreciably the same.’
9 This is implied by Durkheim’s ([1897] 1951: 385) statement that the opposition between women and men ‘in one sense . . . was originally less marked than now . . . ’

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In *The Division of Labor* and *Suicide*, Durkheim presented a relatively consistent theory of gender role evolution. However, it has been noted that he appears to deviate from this theory in other works, where he describes a significant degree of gender differentiation and inequality in ‘primitive’ societies (see Gane 1993; Shope 1994). For instance, in *The Elementary Forms of Religious Life*, Durkheim ([1912] 1995: 132, 137–9, 308–10, 312, 384, 404, 412–13) repeatedly acknowledged the separation of women, along with children and ‘uninitiated men’, from sacred objects, places and practices. In the ‘primitive’ societies of interest to Durkheim, women were commonly regarded as more profane than men and, thus, inferior to men:

The religious dignity that . . . is inherent in each member of the clan is not equal in all. Men possess it to a higher degree than women, who are like profane beings in comparison to men (p. 138).

Later in this same work, Durkheim described the status of women even more explicitly:

. . . a woman serves more often than a man as the passive object of the most cruel mourning rites. Because she has lower social significance, she is more readily singled out to fill the function of scapegoat (p. 404).

Hence, in his later work, Durkheim saw ‘primitive’ societies as embodying a substantial degree of gender stratification. At first glance, this appears to represent the abandonment of his earlier theory of gender role evolution, in which he emphasized that women and men of these societies often serve similar functions and lead ‘roughly the same kind of existence’. Yet, a fundamental shift in his perspective may be more apparent than real, for it still may be argued that Durkheim retained his earlier theory, at least in part. First, in his initial discussions of gender role evolution, he did not conclude that gender differentiation is entirely absent in ‘primitive’ societies. Secondly, the recognition of a significant degree of gender stratification in ‘primitive’ societies does not rule out the possibility that the sexual division of labour increased with social evolution. Durkheim ([1912] 1995: 137–8, 261, 384) implied that gender differentiation in these societies was not complete; more specifically, he acknowledged that women of these societies are not excluded from all sacred ceremonies and are not regarded as entirely profane.10 Thus, he still could argue that gender differentiation increased with social evolution.

Lastly (and perhaps most importantly), Durkheim, in his 1898 essay on the nature and origin of the incest taboo ([1898] 1963),11 acknowledged a significant degree of gender stratification in ‘primitive’ societies. This is important, for this essay was published soon after the first edition of *Suicide* (which appeared in 1897) and several years before the second edition of *The Division of Labor* (which appeared in 1902). Consequently, one is prompted to ask: Is it reasonable to conclude that Durkheim’s view of gender role evolution changed fundamentally over the short period of time that separated the publication of *Suicide* from his essay on incest? And is it reasonable to conclude that, nonetheless, he saw no point in altering the original presentation of his theory in the second edition of *The Division of Labor*? My point here is not to arrive at a definitive conclusion, but simply to indicate how it can be argued that Durkheim retained his initial theory—though perhaps in a somewhat modified form. In any case, because the issue appears to be

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10 Although, as Janet Hinson Shope (1994) points out, Durkheim, at least in his later work, may have discounted instances where women were observed participating in religious ceremonies by suggesting that the ceremonies were not ‘real religious ceremonies’.

11 In his ‘Note on the Translation’, Edward Sagarin (1963: 175) states that this essay first appeared in 1897, as the first article of the first volume of *L’Année Sociologique*. However, 1898 typically is given as the publication date, because that is the date on the first volume of *L’Année Sociologique*. 

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unsettled, it seems at least as reasonable to assume theoretical consistency as it does theoretical change.

Accordingly, given this situation and, more importantly, given the fact that Durkheim outlined his account of the gender/homicide relationship in *Suicide*, the following discussion will give priority to his initial descriptions of gender role evolution.

**Durkheim's Theory of Gender and Homicide**

Durkheim’s comments on the relationship between gender and homicide were brief and incomplete. Yet, when combined with his more general theory of homicide and his comments on gender role evolution, it is possible to derive an account of gender differences in homicide rates and why these differences may change across the various stages of societal development. I will begin by outlining and elaborating Durkheim’s comments on the gender/homicide relationship independent of societal development; I will then proceed to the implied effects of societal development on the gender-ratio for homicide.

**Gender/homicide relationship**

Durkheim ([1897] 1951: 341–2) accepted that women generally commit fewer homicides than men, but he also argued that the difference is not as great as many people believe, since women commit more homicides than the official statistics indicate. He claimed that homicide figures are more likely to be underestimated for women than for men, for at least two reasons. On the one hand, the kinds of homicide often committed by women tend to be more difficult to discover than the homicides more commonly committed by men. Durkheim suggested that poisonings, infanticides and abortions are committed more frequently by women, but these lethal acts also happen to be easier to conceal than other forms of homicide. On the other hand, he proposed a variation of the ‘chivalry thesis’. He asserted that women generally receive more lenient treatment from the criminal justice system and, thus, are more likely than men to receive the benefit of any doubt in a homicide case. The overall result, from Durkheim’s perspective, is that homicide figures for women are underestimated to a greater degree than homicide figures for men.

Despite this perceived error of official statistics, Durkheim ([1897] 1951) still viewed women as committing fewer homicides than men and offered a partial explanation of this phenomenon. The following passage outlines the general propositions of his theory:

To be exact, this influence of sex is an effect rather of social than of organic causes. Woman kills herself less, and she kills others less, not because of physiological differences from man but because she does not participate in collective life in the same way. . . . Whenever homicide is within her range she commits it as often or more often than man. . . . So there is no reason to suppose that she has greater respect for another’s life because of her congenital constitution; she merely lacks as frequent opportunities, being less deeply involved in the struggle of life. The causes impelling to sanguinary crimes affect her less than man because she is less within their sphere of influence (pp. 341–2).

12 Durkheim ([1897] 1951: 342) referred to such acts as ‘characteristically feminine forms of murder’.

13 Several years later, Durkheim ([1906] 1980) extended this line of reasoning beyond homicide to crime rates in general. Explaining the relatively low female crime rate in Germany, he states, ‘. . . the causes are social, and women . . . by not participating as directly as men in the collective life, submit less to its influence and experience less of its various consequences’ (p. 409).
This passage contains two important points that require emphasis and clarification. First, Durkheim, remaining true to the sociological perspective he embraced, rejected the biological contention that lower homicide rates for women are due to greater innate respect for human life and, instead, accepted the sociological contention that women commit fewer homicides because they 'do not participate in collective life in the same way'. According to Durkheim ([1897] 1951: 385), 'Man is actively involved in it, while woman does little more than look on from a distance'. Women are ‘less deeply involved in the struggle of life’. This does not mean that biology is entirely irrelevant; as noted earlier, Durkheim accepted an association between physical attributes and the development of the sexual division of labour. What needs emphasis here is that he rejected the idea that women instinctively have more respect for human life and that this innate respect explains their lower homicide rates.

Secondly, Durkheim concluded that because women are less actively involved in collective life, they experience less exposure to the ‘causes’ of homicide. Here, it is necessary to speculate (a little) on which causes he is referring to, since he did not discuss them in any detail at this point in his work. In view of the passage above and his general theory of homicide, it appears the causes centre on gender differences in social structural locations and socialization. The issue of differential social locations concerns the distribution of homicide opportunities. The issue of differential socialization concerns the way in which homicidal dispositions are shaped by three variables: collective sentiments related to collective things, the religion of humanity, and anomie. I begin with the issue of gender differences in social locations.

Differential social locations (homicide opportunities)
Durkheim ([1897] 1951) clearly accepted the idea that homicide rates for women and men are influenced by the ‘opportunities’ they have to take the lives of other people. Specifically, due to their distinct social location, women do not have as many homicide opportunities as men. Durkheim’s emphasis on this variable is difficult to miss: ‘Whenever homicide is within her range she commits it as often or more often than man . . . she merely lacks as frequent opportunities . . . ’ (p. 342). Nonetheless, I believe it would be a mistake to overemphasize the significance of this statement and reduce his theory of the gender/homicide relationship to a simplistic opportunity theory. My contention is that this statement represents an exaggeration, and this seems confirmed by another statement that closely follows it: ‘The causes impelling to sanguinary crimes affect her less than man because she is less within their sphere of influence’ (p. 342). The reference to ‘causes’ implies that gender differences in homicide rates are shaped by more than one factor (more than just differential opportunities); and given that Durkheim identifies more than one causal factor in his general theory of homicide, I believe it is most reasonable to take his reference to ‘causes’ literally.

There is another issue here worth mentioning. Given that Durkheim’s theory of homicide is commonly viewed as distinct from (and in competition with) ‘opportunity theory’ (see LaFree and Kick 1986; Neuman and Berger 1988; Bennett 1991), it is important for criminologists to note his explicit emphasis on the distribution of homicide opportunities in this instance. Indeed, this emphasis is consistent with his general theory of crime. As noted earlier, it is consistent with Durkheim’s ([1893] 1984) comment on the expansion of criminal laws prohibiting theft—a comment that seems to support an opportunity theory of property crime. It also is consistent with his argument
concerning the normality of crime, particularly his proposal of a partially spurious relationship between criminal behaviour and social progress. Durkheim ([1895] 1982; [1895] 1983) suggested that both criminal behaviour and social progress depend on opportunities to think and act in unique ways (ways that clash with sentiments of the common consciousness); accordingly, the reduction of such opportunities in a normal society would reduce not only criminal behaviour, but also progressive changes in morality.

**Differential socialization (homicidal dispositions)**

Moving on to the issue of differential socialization, it seems safe to assume that one very important cause of gender differences in homicide rates, from a Durkheimian perspective, is the differential internalization of collective sentiments related to collective things—arguably the most significant determinant of homicide within Durkheim’s general theory of homicide (see Durkheim [1900] 1957; DiCristina 2004). Given his assumption that men are ‘much more highly socialized’ than women (Durkheim [1897] 1951: 385), his reasoning implies that men will come to adopt these sentiments more thoroughly than women. Men will tend to have more intense feelings of respect for their church, nation, family and other things of a collective nature. And, since Durkheim views such feelings as a primary source of homicidal passions, his reasoning ultimately implies that men will tend to commit more homicides than women. Men are more likely to be enraged by offences against their religion, country or kin; because of their intense respect for such collective things, they are more likely to view such offences as sacrileges. In this sense, Durkheim’s theory of homicide suggests that effective socialization—specifically, the effective communication of ‘traditional’ sentiments, feelings that underpin mechanical solidarity—is a major cause of homicide, especially in segmentary societies.

Yet, Durkheim also suggested that socialization entails counter-forces that limit homicidal tendencies by furthering the adoption of the religion of humanity in organized societies and by constraining anomic currents (i.e. by constraining human desires).14 Such forces, of course, do not help explain why men commit more homicides than women. Regarding the adoption of the religion of humanity, if men tend to be more highly socialized as Durkheim argued, they should develop more intense feelings of respect for the lives, possessions, freedom and honour of individuals. This would seem to provide them with greater restraint over their homicidal passions and, at first glance, may even prompt the conclusion that men should have homicide rates as low or lower than women. However, Durkheim maintained that the internalization of the religion of humanity does not necessarily offset the effects caused by the adoption of collective sentiments related to collective things. Where sentiments related to collective things are strong, they overwhelm feelings of respect for humanity (Durkheim [1900] 1969). Thus, a positive relationship between socialization and homicide remains plausible.

Unfortunately, the complexity of this relationship increases when viewed historically from Durkheim’s perspective. He repeatedly noted that the general content of the common consciousness varies across different stages of societal development. Specifically, he argued that sentiments related to collective things gradually give way to the

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14 Durkheim ([1901b] 1980) provided another example of how socialization can limit criminality. In a review of two works by Friedrich Prinzning, he concluded that the dissolution of marriage tends to increase ‘crime’ and ‘misdemeanours’ among women more than among men, because ‘woman’s nature is less strongly socialized than man’s’ (p. 414). However, in this case, he appears to be referring primarily to ‘crimes against property’ rather than homicide.
religion of humanity as societies evolve from segmentary to organized forms. This situ-
ation obviously complicates Durkheim’s conception of both the socialization/homicide relationship and the gender/homicide relationship. To make matters worse, the latter relationship is further complicated by Durkheim’s suggestion that socialization of women increases as organized societies develop. I will return to this issue later. At present, it need only be emphasized that Durkheim’s perspective implies that throughout much of human history, a shared respect for collective things has been able to ‘stifle’ the religion of humanity; and given that men have been more highly socialized than women, the sense of humanity among men has been silenced to a greater degree, causing them to experience greater homicidal passions.

While perhaps of secondary significance only, the variable of anomie warrants some attention. Earlier, it was noted that a careful reading of Durkheim’s work indicates that variations in collective sentiments related to collective things and, arguably, the religion of humanity have a more important influence on homicide from his perspective. Of course, in Suicide, Durkheim ([1897] 1951: 357–9) did conclude that anomie, under some conditions, is a cause of homicidal passions: ‘Anomy . . . begets a state of exasperation and irritated weariness which may turn against the person himself or another according to circumstances; in the first case, we have suicide, in the second, homicide’ (p. 357). But, beyond this work, Durkheim had little to say about the causal connection between anomie and homicide; for that matter, he had little to say about the causal connection between anomie and any form of crime. In Durkheim’s ([1900] 1957) most extensive discussion of homicide, he did not mention anomie as a possible cause of homicide. Indeed, he explained the relationship between war and homicide, as well as political crises and homicide, in terms of variations in sentiments related to collective things rather than variations in currents of anomie. Hence, there is little reason to assume that anomie occupies a central place in Durkheim’s theory of gender and homicide.

This being said, the conclusion that anomie is of secondary significance does not imply that it cannot be integrated into Durkheim’s theory of gender and homicide. Initially, one may be inclined to conclude that his anomie theory, by implying a negative relationship between socialization and homicide, predicts more homicides by women because they are (from his viewpoint) less socialized than men. Being less socialized, their desires would be less regulated and more difficult to satisfy, causing them to experience greater ‘exasperation and irritated weariness’. In other words, one may jump to the conclusion that Durkheim’s anomie theory contradicts his theory of gender and homicide, as it has been described to this point. Yet, such a conclusion would be hasty, for it is possible to argue that men experience the effects of anomie more intensely than women. In his discussion of anomie suicide, Durkheim ([1897] 1951: 272–3) concluded that matrimonial anomie has more adverse consequences for men than women and, in fact, some degree of matrimonial anomie ‘can only better the wife’s situation’. In this connection, he suggested that the desires of women, at least

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15 In at least two reviews published in L’Année Sociologique, Durkheim ([1901a] 1980: 407; [1901c] 1980: 446) suggested that anomie is a cause of crime (at least juvenile delinquency), but even here he did not use the term anomie explicitly.

16 This is not a unique conclusion. Gane (1993: 57), for instance, concluded that Durkheim’s perspective suggests, ‘. . . anomie currents affect them (men) far more than they do women’.

17 In ‘Divorce by Mutual Consent,’ Durkheim ([1906] 1978) strayed from this conclusion to some extent. While he still implied that matrimonial anomie is more problematic for husbands, he also suggested that a moderate level of matrimonial anomie neither improves nor impairs the situation for wives.
their sexual desires, are naturally (instinctively) more limited than those of men. If the totality of women’s desires are more ‘naturally limited’, women would be less vulnerable to currents of anomie, to times and locations where desires lack societal regulation. Women could experience more anomie than men but suffer lower levels of frustration and anger. In short, anomie simply may generate homicidal passions in men more readily than in women.

Before concluding this section, it is worth noting that Mike Gane (1993: 53–4, 57–8) identified another line of reasoning in Durkheim’s work that may be extended to help explain gender differences in homicide rates. It represents a partial explanation of acts of violence by ‘superiors’ against ‘inferiors’—for instance, by developed societies against developing societies, by elders against the young, and perhaps by men against women. Durkheim ([1902-03] 1973) suggested that when one group regards itself as superior to another, it tends to develop sentiments that prompt violence against the ‘inferior’ group, at least when other factors do not intervene to prevent the violence. In his words, ‘whenever two populations, two groups of people having unequal cultures, come into continuous contact with one another, certain feelings develop that prompt the more cultivated group—or that which deems itself such—to do violence to the other’ (pp. 192–3).18 Durkheim noted that such violence frequently is ‘useless and involves grave dangers’ for the ‘superior’ group; nevertheless, it seems inevitable unless it is constrained by a strong moral force (e.g. ‘familial feelings’ or ‘public opinion’). In any case, where women are regarded as inferior to men, this ‘law’ implies that men will be inclined to commit acts of violence against women, and such acts (if lethal) could increase the homicide rates of men relative to those of women.19 Durkheim did not present this line of reasoning as part of his general theory of homicide, nor in his comments on the gender/homicide relationship, yet it appears to be a rational extension of his work in this area.

Overall, from a Durkheimian viewpoint, men generally have higher homicide rates than women because their social structural location provides them with more homicide opportunities and because their more intense socialization has planted within them strong feelings of respect for collective things—seeds of strong homicidal passions. Anomie and a sense of male superiority also may help to explain this gender difference, although these factors appear to be of secondary significance given Durkheim’s discussions of homicide. Conversely, Durkheim’s perspective does not imply that women should be more involved in homicide because they are less socialized and thus have more freedom from the common consciousness. Certainly, he held that we need some freedom from the common consciousness to commit criminal acts, but he also suggested that many factors shape criminal behaviour patterns. These factors not only include those mentioned above (i.e. criminal opportunities, strong sentiments related to collective things, the religion of humanity, anomie, and a sense of group superiority), but also the forced division of labour and the age structure of society. The tendency among many criminologists to reduce Durkheim’s theories of crime to a few variables (e.g. anomie and the factors that influence it) seriously distorts his perspective.

18 Elsewhere Durkheim ([1898] 1963, [1900] 1969) noted that an offense by an ‘inferior’ against a ‘superior’ often prompts an especially harsh response. In fact, his theory of penal evolution is based in part on this contention.
19 This is consistent with Durkheim’s ([1912] 1995: 404) suggestion that people who lack power and are regarded as having less social value are more likely to be used as scapegoats.
DURKHEIM'S LATENT THEORY OF GENDER AND HOMICIDE

Societal development and the gender-ratio for homicide

Durkheim’s theory of the gender/homicide relationship can be elaborated further by integrating his comments on the relationship between societal development and the participation of women in collective life (i.e. his theory of gender role evolution). Through such integration, his perspective suggests two provisional hypotheses concerning historical trends in the gender-ratio for homicide. One pertains to segmentary societies; the other concerns organized societies.

The first hypothesis is the following: As societies developed from simple segmentary forms (hunting and gathering societies) to the initial organized forms (early industrial societies), homicide rates for women should have declined relative to homicide rates for men. Durkheim implied that the participation of women in collective life decreased over this period of societal development. Accordingly, if he is correct, women were gradually placed in social locations that left them with fewer opportunities to commit homicides and with less violent dispositions. Durkheim implied that over this period, women experienced less socialization relative to men; and from his viewpoint, socialization, especially in segmentary societies, is a driving force behind homicide. Of course, socialization may work against homicide where it advances feelings of devotion to humanity and constrains anomie. But, as noted earlier, for Durkheim ([1900] 1957), socialization also promotes feelings of respect for collective things (e.g. church, nation and family), and these feelings, after reaching a certain level of intensity, are perhaps the primary source of homicidal passions.

This first hypothesis and the theory from which it is derived are complicated by Durkheim’s argument that as societies develop, there is a decrease in feelings of respect for collective things and an increase in feelings of devotion to humanity. This means that as women were becoming less involved in collective life and, therefore, developing less violent dispositions, men also were developing less violent dispositions. Unfortunately, I have found nothing in Durkheim’s work that directly addresses the implications of this situation. However, as an extension of Durkheim’s perspective, it seems reasonable to conclude not only that women experienced fewer homicide opportunities relative to those of men as segmentary societies developed, but also that women experienced a more marked decline in homicidal passions compared to the decline experienced by men. The end result is a decrease in homicide rates for women relative to homicide rates for men as societies developed toward an organized form. Yet, it still must be admitted that Durkheim’s theory of gender and homicide is ambiguous on this matter—a problem that could prompt a significantly different interpretation.

The second hypothesis is this: As organized societies develop, homicide rates for women should increase relative to homicide rates for men. Durkheim implied that during this phase of societal development, women generally become more involved in collective life. Even though the nature of their involvement is expected to remain distinct from men’s, their increasing participation in social life suggests that they will acquire more opportunities to commit homicides and will develop more violent dispositions (due to their greater socialization), at least relative to the opportunities and dispositions of men. If homicidal dispositions, in general, tend to decline with societal development (as Durkheim argued), those experienced by men should decrease with the advance of organized societies, while those experienced by women may increase, remain the same or decrease at a slower rate, depending on the nature of their increas-
ing socialization. In any case, women should develop more violent dispositions relative to those of men.\(^2^0\)

What’s more, given Durkheim’s viewpoint, there are two other reasons to expect an increase in official homicide rates for women relative to those for men as organized societies develop. On the one hand, women should increasingly find themselves in social locations where their homicides are more visible and their apprehension is more probable. On the other, if they experience greater social equality, the criminal justice system should increasingly treat women and men the same, making it less likely for women to be acquitted in cases where men would be convicted.

Overall, these two hypotheses imply curvilinear historical development of the gender-ratio for homicide—the gender difference being relatively small in the first human societies, then increasing until the birth of organized societies, and subsequently decreasing as organized societies evolve.

Conservative, Liberal and Feminist?

In view of contemporary academic sensibilities concerning gender equality, many scholars may be inclined to dismiss Durkheim’s theory of gender and homicide for being overly conservative and patriarchal. This is understandable, and certainly it would be best to purge his theory of its more patriarchal elements before it is presented as a competitor against contemporary accounts of the gender/homicide relationship. However, to be fair to Durkheim and to avoid misunderstandings of his criminological perspective, it is important to acknowledge the liberal and potentially feminist elements of his writings. At the risk of digressing too much, this section provides a somewhat detailed examination of this matter. It begins with a summary of the conservative and liberal contentions that can be found in Durkheim’s comments on gender. This is followed by a brief discussion of the relationship between his viewpoint and the late-nineteenth-century French tradition of ‘familial feminism’.

Conservative and liberal contentions

The political orientation of Durkheim’s general social theory is not easily summarized, especially in view of the secondary literature. Durkheim has been referred to as a ‘conservative’ (e.g. Nisbet 1952; Coser 1960), but he also has been labelled ‘a typical representative’ of ‘the liberal and radical humanitarianism of the nineteenth century’ (Sorokin [1937] 1962: 613; also see Seidman 1983).\(^2^1\) His ‘approach to social order’ has even been described as ‘unambiguously radical’ (Taylor et al. 1973: 87). Upon examining Durkheim’s major works, most social theorists who are devotion to a particular political orientation probably would find something in them to condemn, as well as something to commend. As Jennifer Lehmann (1995: 927) suggests, it seems reason-

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\(^2^0\) This again involves some speculation. For instance, without deviating from Durkheim’s general conceptual framework, it is possible to argue that compared to women, the socialization of men will involve more emphasis on collective things (e.g., nation) and less emphasis on humanity. If this is true, women may not develop greater homicidal dispositions relative to those of men. However, given that Durkheim viewed homicide as ‘inseparable from passion’, and given that he associated modern women with affective functions and modern men with intellectual functions; this alternative line of argument may be more questionable.

\(^2^1\) Steven Seidman (1983: 158) argued, ‘The presuppositions of Durkheim’s social theory lie in an indigenous democratic tradition of French social thought founded upon the fusion of liberal and revolutionary ideas.’
able to characterize his ‘political position as a complex synthesis of conservatism, liberalism, and radicalism’. Nonetheless, my objective here is not to sort through these various conceptions of Durkheim’s political orientation; rather, it simply is to highlight some of the conservative and seemingly liberal elements of his arguments concerning gender.

Because both conservatism and liberalism have multiple meanings, they first must be defined. In the text that follows, conservatism refers to a political orientation that emphasizes respect for tradition, resists social change and ignores the distribution of opportunities across individuals and social groups; on the other hand, liberalism refers to an orientation that emphasizes ‘human reason’ over tradition, favours ‘rational’ social change (at least gradual change), and promotes greater equality of opportunity. In view of these definitions, Durkheim’s perspective on gender arguably contains elements of both orientations, at least if it is examined in the context of late-nineteenth-century French culture. I will begin by summarizing his conservative conclusions and then proceed to his more liberal contentions.

**Durkheim’s conservatism**

Regarding the conservative elements of Durkheim’s viewpoint on gender, many of his statements indicate an acceptance of traditional patriarchal thought and resistance to social change that embraces gender equality. As noted earlier, not only did Durkheim conclude that modern women are physically weaker than modern men, he also concluded that women are intellectually inferior. He seemingly accepted Le Bon’s conclusion that the brain size of women has declined relative to that of men over the course of social evolution (Durkheim [1893] 1984). This is especially noteworthy since Le Bon was a recognized antifeminist (see Offen 1984: 661–2). Moreover, on several occasions, Durkheim asserted that women are more ‘primitive’ and ‘instinctive’ than men; conversely, he portrayed men as ‘more highly socialized’ and having a more developed ‘mental life’ (Durkheim [1893] 1984: 192; [1897] 1951: 215–16, 272, 385; [1901b] 1980: 414; [1904] 1980: 131).

Also recall that, for Durkheim ([1897] 1951: 247, 272), the desires of ‘men’ are not limited by ‘human nature’, while the desires of women, at least their sexual desires, are ‘naturally limited’. Could ‘human nature’ affect men and women differently? Or is female nature distinct from ‘human nature’, while male nature is synonymous with it? If the desires of women are naturally limited, Durkheim ([1897] 1951: 246), in at least one sense, categorizes them with animals, for he describes animals as having naturally limited desires. Upon examining these statements, it is not especially shocking to hear one of his critics conclude that ‘to Durkheim women are uncivilized primitives at best, and nonhuman animals at worst’ (Lehmann 1994: 36). Of course, to say that Durkheim excluded women entirely from his conception of humanity—that is to say that he viewed women as ‘nonhuman animals’—seems hasty and extreme. Yet, there is a sense in which he regarded women as less ‘human’ than men on average, and many of his comments can be used to rationalize patriarchal social arrangements.

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22 While rejecting the classification of Durkheim as a conservative, Anthony Giddens (1976) commented on the multiple meanings of conservatism and noted that the works of Marx and Weber also could be regarded as conservative in part, though it may not be particularly useful.
On the role of women in organized society, Durkheim ([1897] 1951: 385) stated that 'To be sure, we have no reason to suppose that woman may ever be able to fulfill the same functions in society as man . . .'. He maintained that women and men would continue to serve different social functions because they have different 'aptitudes'. As noted earlier, Durkheim ([1893] 1984: 17-22) suggested that women might take over the affective functions of society (e.g. family duties, art and literature), whereas men might come to focus more exclusively on the intellectual functions (e.g. business, politics and science). Despite being framed as a positive social phenomenon (a source of organic solidarity), this division of labour appears to suggest an unequal distribution of wealth and power across the sexes; after all, it implies that men will control the economy and government.

In addition, Durkheim ([1902-03] 1973: 267-81), in one of his lectures on moral education, implied that affective aptitudes and functions, as a whole, might be inferior to intellectual aptitudes and functions. Specifically, he claimed that the teaching of science is more important than the teaching of art and literature. By associating women with the affective sphere of social life and then suggesting that this sphere is of secondary importance, Durkheim appears to envision and support social arrangements within organized societies that concentrate women in less respectable social positions. In other words, not only may women's social positions provide them with less wealth and power than men's positions, but they may provide them with less prestige as well. (In the next section, this issue is examined from an alternative viewpoint.)

Overall, such contentions—which arguably extend to the heart of Durkheim's social theory—embody traditional patriarchal thinking, imply resistance to social change that would increase gender equality, and help rationalize an inequitable distribution of opportunities across the sexes. Yet, these statements do not provide a complete picture of Durkheim's perspective on gender. They represent only his more extreme and conservative comments and, hence, it would be hasty to dismiss his perspective on this basis alone.23

Durkheim's liberalism
Regarding the more liberal elements of Durkheim's viewpoint on gender, some of his statements directly challenge traditional patriarchal thought and encourage fundamental social change in the direction of greater gender equality, including greater equality of opportunity. Most of these statements can be found in Suicide. There, he suggested that men generally benefit more from marriage than women,24 and that weaker matrimonial regulation 'can only better the wife's situation' (Durkheim [1897] 1951: 268-76, 384-6). According to Durkheim ([1897] 1951: 384), 'the interests of husband and wife in marriage are . . . opposed . . . the latter requires above all, liberty, and the former, discipline . . . '. In this connection, Durkheim ([1897] 1951: 385-6) anticipated and supported the development of social arrangements where women and men are 'socially equalized, but in different ways', for such arrangements would 'reduce the

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23 At this point, it may be useful to acknowledge a conclusion drawn by Randall Collins (1988: 119): 'It is true that Emile Durkheim himself was a sexist of a rather traditional sort . . . Nevertheless, we are not constrained by Durkheim's own political biases from applying his analytical apparatus to understand sexual domination.' Collins went on to describe how Durkheim's work can be used to shape a conflict theory of the family and sexual stratification.

24 In his discussion of egoistic suicide, Durkheim ([1897] 1951: 184, 194-195) implied that this may not be the situation everywhere, noting that in at least two regions marriage appeared to provide women with more protection from suicide than men. Nonetheless, he consistently placed more emphasis on the idea that men benefit more from marriage than women.
unhappy moral conflict actually dividing the sexes’. Moreover, he anticipated greater equality of opportunity between women and men (Durkheim [1897] 1951: 385).

Of course, as indicated above, Durkheim emphasized that men and women would continue to serve different functions due to differences in aptitudes. Moreover, his reasoning, to some extent, implies that the intellectual functions served by men will afford them more wealth, power and prestige than women can hope to secure from their affective functions. However, his actual position on the relative value of intellectual and affective functions is less determinate than it may first appear. In The Division of Labor, Durkheim ([1893] 1984: 13) concluded that the domain of art—an affective sphere of social life—is one where ‘freedom reigns’. Thus, given that science requires greater constraint, it seems possible that many women, in the long run, could secure significantly more freedom than many men. In this same work, Durkheim ([1893] 1984: 12–14) acknowledged some overlap between art and science. He noted that art ‘is not moral in itself’, while science, ‘under certain conditions’, is moral; but he then went on to conclude that ‘science (in the proper sense), like art and industry, lies outside the realm of ethics’. This blurring of the distinction between art and science also can be found in The Rules of Sociological Method, where Durkheim ([1895] 1982: 87) states that ‘art is only the extension of science’.25 Finally, in Suicide, Durkheim ([1897] 1951: 385) indicated that women are becoming more active in society; they are serving more important functions; and, ultimately, they may be ‘socially equalized’ in relation to men. In short, while he often seemed to suggest that the affective dimension of social life is inferior to the intellectual dimension, he occasionally implied that a great divide does not exist between them and that an affective role in society, in at least one sense (in terms of the freedom it offers), may be preferable to an intellectual role.

Obviously, this does not establish Durkheim as a liberal on gender issues. One still can understand Lehmann’s (1994: 149) conclusion that ‘he takes a liberal (individualist) position with respect to men and a conservative (caste) perspective with respect to women’. Most of Durkheim’s comments on the relationship between societal development and gender roles do appear conservative from a contemporary academic standpoint. However, his comments do not fit completely into the conservative framework, and this is the point I wish to emphasize. Not only is his general social theory arguably more liberal than conservative,26 his fragmented comments on gender roles, as just noted, include a few liberal contentions. Indeed, two works that are commonly used by Durkheim’s critics to illustrate the conservative nature of his perspective also can be used to support a more moderate conclusion. The two works are ‘Divorce by Mutual Consent’ ([1906] 1978) and his review of Marianne Weber’s book, Ehefrau und Mutter in der Rechtsentwicklung ([1906–09] 1978).

In the former work, Durkheim ([1906] 1978) argued that efforts to institutionalize divorce by mutual consent, if successful, would likely have a negative impact on the ‘normal functioning’ of marriage ‘without . . . resulting in an increase of happiness or a diminution of unhappiness for the average spouses’ (p. 250). His position in this essay

25 Durkheim ([1895] 1982: 87) had more than this to say: ‘Between science and art there is no longer a gulf, and one may pass from one to the other without any break in continuity. It is true that science can only concern itself with the facts through the mediation of art, but art is only the extension of science.’

26 The liberal nature of his theory is perhaps most evident in his consistent opposition to inherited wealth and a forced division of labor (Durkheim, [1892] 1965, [1893] 1984, [1897] 1951, [1902] 1984); but it also is evident in his theory of the development of the religion of humanity.
is noteworthy because he abandoned an important conclusion arrived at in *Suicide*—namely that the situation of wives generally improves as matrimonial regulations weaken. In ‘Divorce by Mutual Consent’, he would go no further than to state that ‘Divorce does not appear unfavorable to married women’ (p. 245). He even suggested that some ‘mediocre marriages make life more bearable and gentler for the partners’ and that divorce by mutual consent would contribute to their dissolution (p. 250). In this way, Durkheim distanced himself from his earlier argument—an argument that could be used to support more liberal divorce laws.

However, a liberal current still can be found in this essay. First, Durkheim continued to maintain that the institution of marriage served the interests of men more than those of women. Secondly, Durkheim explicitly noted that he supported divorce: ‘Most assuredly, nothing is further from our intent than to place in question the principle of divorce. It would seem indisputable that in certain conditions spouses must be allowed to escape from their marriage’ (Durkheim [1906] 1978: 241). Thirdly, he opposed efforts to organize divorce in a way that would jeopardize the welfare of children; indeed, he seems most strongly opposed to divorce by mutual consent ‘where there are children’ (p. 251, Durkheim’s emphasis). Durkheim acknowledged that divorce sometimes is in the best interests of the couple’s children, but he added that parents are not always the best judges of this matter. In short, given that children have long been one of the most subjugated segments of society, Durkheim’s reasoning in this instance should be understood and perhaps embraced by a liberal consciousness. Lastly, he reaffirmed his acceptance of a liberal intellectual stance. In his words, ‘There is no institution, even among those which pass for being the most sacred, which I consider to be above question’ (Durkheim [1906] 1978: 240).

A mix of conservative and liberal reasoning also can be found in Durkheim’s ([1906-09] 1978) review of Weber’s book, *Ehefrau und Mutter in der Rechtsentwicklung*. In this review, he referred to Weber as ‘a wisely conservative mind’ and then presented an even more ‘conservative’ line of reasoning. Durkheim agreed with Weber’s contention that the social position of women in the family has determined their social position in society, but he concluded that her history of the family was too ‘simplistic’ and, thus, her reasoning did not adequately support her call for less restrictive divorce laws and complete equality between husband and wife. In his discussion of neo-patriarchal family life during the early twentieth century, Durkheim suggested that the primary role of women was to ‘preside over this interior life’ and that this role had ‘taken on greater importance’ (p. 143). He then went on to argue that the respect shown to women during this time period stemmed primarily from their family role, and that such respect could decline if the institutions of marriage and family were to weaken. Thus, the expansion of women’s rights and the development of a greater public role for women, while improving their situation in one sense, would be accompanied by a significant loss. In view of this line of reasoning, it is very understandable how Durkheim’s critics could use this review to classify him as a conservative on gender issues.

However, his critics commonly fail to note two important points about this review. First, Durkheim ([1906-09] 1978) stated that his purpose was to indicate how Weber and perhaps other researchers do not grasp the full complexity of the issue.27 Thus, he

27 Durkheim ([1906-9] 1978: 143) noted, ‘...we believe that Weber’s simplistic argument and the conclusions which she draws from it fail to recognize the complexity of the problem.’ He then proceeded to conclude: ‘...the gain which they (women) would owe to the conquest of the rights which are claimed on their behalf would be compensated by important losses. This suffices to show that the problem is less simple than one would think, and that is all that we wished to establish’ (p. 144).
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suggested, his goal was more academic than directly political, although portions of his argument certainly could be used to reinforce a conservative agenda. Secondly (and more importantly), he stated ‘We are far from arguing that the legal status of women as it is determined by the civil law of European peoples does not call for important reforms’ (p. 143). In other words, despite his conservative line of reasoning, he appeared to favour some significant changes in the law designed to improve the ‘legal status of women’. Although he was not prepared to go as far as Weber, his apparent acceptance of ‘important reforms’ implies the possible acceptance of a marginally liberal agenda concerning the interests of women, at least when viewed from the vantage point of early-twentieth-century Europe.

While there clearly are reasons to be critical of Durkheim’s perspective on gender, and some scholars have been very critical (e.g. Lehmann 1994; but also see Cladis 1995 and Tiryakian 1995), the seemingly liberal elements of his perspective are significant. Although he opposed the abrupt establishment of complete gender equality, he appears to have supported gradual change in the direction of greater gender equality (see Shope 1994). And despite the offensiveness of his perspective to contemporary academic sensibilities, he arguably made some effort to embrace ‘human reason’ over traditional thought on gender relations, to support ‘rational’ social change over long-term preservation of traditional gender roles, and to accept greater equality of opportunity across the sexes.

Durkheim and familial feminism

To say that one can find a liberal current flowing through Durkheim’s otherwise conservative discussions of gender hardly implies that he was a feminist. Yet, when considered within his historical context, this conclusion is not as absurd as it may first appear. On this matter, the work of Karen Offen (1984) warrants comment. In her examination of the relationship between depopulation, nationalism and feminism in late-nineteenth-century France, she suggests that Durkheim accepted a viewpoint that was largely consistent with ‘familial feminism’.

Offen (1984: 654) notes that in late-nineteenth-century France, two branches of feminism were ‘philosophically the most important’—namely ‘familial feminism’ and ‘individualist feminism’ (‘integral feminism’). Familial feminism was based on ‘a biologically differentiated, family-centred vision of male-female complementarity’. It supported a ‘positive concept of women’s special nature’, a ‘sexual division of labor in both society and the family’ and the notion of ‘equality in difference’. Yet, while it was committed to changing society to help women, its purpose was ‘not to overthrow the economic basis of patriarchy’. On the other hand, individualist feminism opposed gender distinctions and the sexual division of labour. It espoused ‘equality of opportunity’, ‘an end to sexism’ and the right of women to be economically independent from men.

According to Offen, during the 1890s, most supporters of women’s rights in France, and seemingly Durkheim as well (see pp. 664–7), adopted a variation of familial feminism. In fact, most supporters of women’s rights in the United States and Europe may have embraced a variation of this form of feminism: ‘Despite significant differences in

28 Here Offen seems to be referring to the reluctance of familial feminists to advocate reforms that would reduce women's economic dependence on men.
strategy and tactics, the feminist movements of most Western nations during the early twentieth century were reformist; they expressed family-centred, nonindividualist values similar to those embraced by the French feminists of the Third Republic . . . ' (Offen 1984: 674). Interestingly, Offen also suggests that many French feminists, upon considering the level of male political dominance, may have intentionally exaggerated their acceptance of 'womanly function and womanly style' as part of a strategy to acquire greater political and civil rights for women:

From an individualistic perspective, arguments for women's rights based on their essential social role as mothers are likely to be interpreted as counter-revolutionary. But within the historical framework of the patriarchal nation-state, when women's much touted moral influence was scant compensation for their lack of economic and political power, such arguments may have provided the sole and most effective means of advancing their cause (p. 676).

Everything considered, Durkheim's writings do not fit neatly into an anti-feminist mould when examined in their historical context. This point needs to be remembered if one wishes to have a sound understanding of his account of the gender/homicide relationship and, more generally, his overall criminological perspective.

**Conclusion**

This article makes no claims concerning the empirical accuracy of Durkheim's latent theory of gender and homicide. Its general purpose was to exhume, elaborate and hopefully draw some attention to this theory—a theory that has been largely overlooked by criminologists for over a century. Durkheim's account of the relationship between societal development, gender roles and homicide is fragmented, incomplete and occasionally ambiguous; moreover, in its present form, it is empirically questionable and entails a disconcerting amount of late-nineteenth-century patriarchal thought. Nonetheless, for anyone interested in the historical development of criminology, Durkheim's comments on this subject are significant. Not only do they provide additional insight into early criminological thought on gender and crime, but they also extend and help clarify his overall criminological perspective—a perspective that occupies a central place in the development of criminology and yet is repeatedly misrepresented by the literature of the field.

This being said, I wish to emphasize several conclusions that suggest reconsideration and reworking of the popular descriptions of Durkheimian criminological theory. First, although his discussions of law, punishment and crime usually neglected gender issues, Durkheim did not overlook them entirely; he implied that gender is of some importance as a criminological concept. In this connection, he suggested that gender differences in both social structural location and socialization are factors that should be examined when explaining gender differences in homicide rates. Secondly, Durkheim recognized the relevance of variations in homicide opportunities and included this variable in his theory of gender and homicide. This implies that his overall theory of crime is not entirely separable from opportunity theories of crime; there is more overlap between these two perspectives than the literature of criminology generally acknowledges.

Thirdly, he suggested that effective socialization—the internalization of a society’s core cultural sensibilities—can be a major cause of homicidal passions, especially where the core of the common consciousness is dominated by sentiments related to collective things. Indeed, one gets the impression that the adoption of strong collective feelings of respect for church, nation, family and other things of a collective nature does more to increase homicide than reduce it. Fourthly, Durkheim’s comments reinforce the fact that his general theory of homicide is much more than an anomie theory. The concept of anomie is just one part of his theory, and it seems to be of secondary significance. Beyond this, it is perhaps worth mentioning that Durkheim accepted that a sense of superiority can be a cause of violence against people who are perceived as being inferior; he embraced the idea of curvilinear social development, at least in some spheres of social life; and he demonstrated some willingness to incorporate biosocial reasoning into his more macro-oriented approach to sociology.

REFERENCES


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