ARTICLE

From victim blaming to reintegrative shaming: the continuing relevance of *Crime, shame and reintegration* in the era of #MeToo

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Although it is somewhat disconcerting to think that *Crime, shame and reintegration* is three decades old (especially as one of the two authors remembers buying his copy when the book was practically hot off the press), we are delighted to have the opportunity to contribute to marking such an important milestone in criminological thought. Turning 30 is a big deal. In criminology, we think of the famous age-crime curve with 30 representing a point of sharp decline in involvement in so-called 'street crimes'. As one commentator puts it: 'It has been said that the most effective crime-fighting tool is a 30th birthday' (Von Drehle, 2010: 24). The connotations are not always so positive, of course. The 1960s' student activist Jack Weinberg once famously warned his peers to 'never trust anyone over 30' (cited in Kazin, 2012). Regardless, turning 30 is always a moment of reflection, a time to take stock and decide where one wants to go in the future, so it is an ideal time to assess the generative legacy of *Crime, shame and reintegration*.

Of course, in re-reading classic works, one typically expects to find bits of anachronism mixed among the timeless and enduring aspects of the work. For instance, in re-reading Matza's classic *Becoming deviant* before writing an obituary last year, the first author was amused to find a discussion of stickball playing as one of the aspects of (then) modern delinquency. Yet *Crime, shame and reintegration* reads nearly as fresh and original today as it did 30 years ago. Indeed, a trawl of social media on any given day might suggest we may be living in a sort of heyday of shame and shaming that is screaming out for better theorisation. Brand new shame words have entered everyday vocabulary – we now talk about 'body shaming', 'slut shaming', 'victim shaming' and so forth (almost always pejorative terms used to describe the public judging of women, in particular). We also live in the era of #MeToo, where women and other victimised groups have strategically turned public shaming (and what we will argue below is better understood as unshaming or shame deflection) into one of the most potent forms of political action for addressing violence and discrimination in society. Indeed, contemporary forms of social media, barely imagined 30 years ago, may be the ultimate shaming machinery, magnifying the 'mechanics of gossip' described in

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Braithwaite (1989: 75) a 1,000-fold or more. The relevance of this sort of gendered shaming to the deterrence and magnification of harmful behaviours is enormous and cannot be understood without appreciating Braithwaite's work.

Admittedly, contemporary readers of *Crime, shame and reintegration* might be struck by the book's rather 1980s' obsession with the various sociological theories of delinquency that developed in mid-century US sociology. From today's perspective, one can forget what a big deal the whole 'control theory' versus 'social learning theory' debates were back then. Partly, of course, the shift away from such debates is structural. The stickball-playing 'juvenile delinquents' that so concerned 1950s' criminology appeared to be getting out of control in the 1980s' era of mega-gangs, leading to dire warnings of a coming wave of 'juvenile super-predators' about to swarm American cities (Bennett, DiIulio & Walters, 1996). Of course, that crime wave never materialised; indeed, just the opposite occurred, with youth crime in steep decline over these past three decades (Farrell, Laycock & Tilley, 2015). Along with a drop in delinquency itself, there has been an easing off of the theory wars seeking to explain it, as well, and part of this intellectual shift can be attributed to Braithwaite himself. In *Crime, shame and reintegration* and other publications (e.g. Braithwaite, 1993), Braithwaite admirably attempts to bring peace to these all-encompassing battles across criminological camps that ate up so many pages of criminological journals in the mid-twentieth century. He was clearly successful in this regard as today's passionate, young criminologists could hardly care less about what variables are the most predictive of street delinquency.

Punishment theory is where the action is today, it seems to us. Today's young criminologists want to talk about ending mass incarceration, what to do about crimes of the powerful and imagining a green criminology – not stickball or street rebels. Indeed, another reason *Crime, shame and reintegration* feels so contemporary today is the work's dual function as a theory of both crime and punishment. As a descendant of labelling theory, *Crime, shame and reintegration* makes clear that one cannot understand the one without the other. The pressing challenge for the next 30 years in criminology, it seems to us, will be to account for both the extreme over-punishment of the poor and the remarkable under-punishment of the wealthy – what Vegh Weis (2018) calls the bulimia of late capitalism, following Jock Young (1999). Of course, these bulimic patterns of punishment are hardly new to the present moment, even though they have reached something of a grotesque crescendo in the era of Donald Trump's America. In fact, the year *Crime, shame and reintegration* was released happened to be the year of both the Central Park Five travesty and the Keating Five scandal involving the $3.4-billion

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bailout of a savings and loan involving five US senators.[1] Unfortunately, most of us in criminology do not feel as well equipped to understand the latter sorts of corporate deregulation as we do the over-regulation of adolescents on street corners. This is one of *Crime, shame and reintegration's* great strengths, however. Braithwaite's voluminous and eclectic body of research experience (see the biography in Maruna, 2010) allows him to move comfortably from discussions of street crime to civil wars to mine safety to pharmaceutical regulation to sulphur dioxide emissions in the pages of *Crime, shame and reintegration*. This is hardcore 'zemiology' (Hillyard & Tombs, 2017) way ahead of its time.

Ironically, the most jarring anachronism in reading *Crime, shame and reintegration* today, by far, is no less than what it was back in 1989: the book's infamous focus on shame and shaming. The utter audacity of that word 'shame' still jumps off the iconic red cover of the Cambridge University Press book. The word was (and is) so striking that one often thinks of *Crime, shame and reintegration* as simply a book about crime and shame, forgetting the third key word in the title (reintegration, for those who have forgotten). This is rather ironic considering *Crime, shame and reintegration* remains the best developed theory of reintegration in the field of criminology. Yet the 'shame' is/was what grabbed us all. The word is not just wildly old-fashioned, but, ironically, talking about 'shame' can be awkward and uncomfortable, even embarrassing, in itself. This is not surprising considering the sexual connotations of the word 'shame' that are underdeveloped in the work. (The origin of the word 'pudendum', after all, is from the Latin *pudēre*, which means to be ashamed). For instance, had the book been titled *Crime, guilt and reintegration*, no one would have likely batted an eyelid at it (as guilt has other legal meanings), and indeed it might not have had the same remarkable impact on theory and practice that *Crime, shame and reintegration* has had. We may be uncomfortable with the idea of 'shame' because it generates discomfort and ambivalence, but it is exactly that discomfort and ambivalence that matter the most.

The task of the intellectual, it seems to us, is to think thoughts that cannot be thought and to say things that cannot be said. In this sense, John Braithwaite is a true intellectual as 30 years ago he made very courageous arguments and dared to think and do the unthinkable: bringing the concept of shame into the core of criminological theory and suggesting its possible (under certain conditions) usefulness for criminal justice policy. That was not a self-evident or non-contentious enterprise in 1989 any more than it is today. Indeed, almost single-handedly,

1   The Central Park case will be well known to viewers of Ava Duvernay's exceptional drama series 'When they see us' (Netflix, 2019). It involved the tragic case of five minority children framed for the brutal rape of a woman jogging at night in the park. The crime became a focus of tabloid media and moral panic around minority youth and even led New York City millionaire Donald Trump to take out full-page advertisements in the *New York Times* calling for the execution of the children, later proven to be innocent of the crime. The Keating Five scandal will be less well known, at least partially because subsequent banking scandals have been so much more extreme in terms of harms caused. Nonetheless, the Keating Five (involving well-known senators including John McCain and John Glenn) was extremely notorious in 1989, with tens of thousands of investors losing their life savings.

Braithwaite re-introduced morality and normative argumentation into a field that had long sought to hide behind a veil of scientific objectivity with positivist language of causal mechanisms and risk factors.

Of course, not everyone will agree with the analysis in *Crime, shame and reintegration* 30 years later. Indeed, the author himself has argued that '[s]ocial science theories are most likely to have explanatory power if they go through many years of refinement that is responsive to strategic research … programs [in a] collaborative, integrative approach to theory development' (Braithwaite & Braithwaite, 2001: 39). He backed this up with *Shame management through reintegration* (Ahmed, Harris, Braithwaite & Braithwaite, 2001), the badly underappreciated sequel to *Crime, shame and reintegration* that included a substantial revision to the initial formulation. As in the title, this later book shifts the key issue from 'shaming' – which Braithwaite (1989: 12) himself acknowledges 'is a dangerous game' – to the differential management of shame that all of us experience at some level, whether we are being bullied or bullying others.

For us, future iterations of reintegrative shaming theory must wrestle more directly with issues of gender inherent or at least implicit in the concept of shame and in doing so ideally dialogue with the growing feminist literature around shame as well. Braithwaite certainly considered gender in *Crime, shame and reintegration*, but mainly as a variable in predicting crime. We ask here a different set of questions, which are particularly relevant today: is shame a meaningful project for all social subjects, and, in particular, is shame the same for women and men? As shame is refracted through social location and life experience, perhaps women have a different historical and social relation to shame and shaming compared with men. (One of the authors has resisted reading Braithwaite's book for years to avoid any engagement with the concept of shame and shaming because of this problematic connotation).

What about shame and victims? Reintegrative shaming typically focuses on offenders but has also become a theoretical foundation for the very victim-centred movement for restorative justice. What do we know about the usefulness of shame/shaming for victims of crime?

Interestingly, restorative justice is often viewed as an emotional process and therefore as being 'soft', beneath the faculties of reason (law), subordinated (as feminine, bodily). Further, 'being emotional' is seen as a characteristic of some bodies (perhaps women, indigenous, victims, minorities) and not others. Emotions, in general, have for centuries been viewed as being more primitive, less intelligent and more dangerous than reason. Not coincidentally, emotions have been associated with women, who have been represented as being closer to nature and less able to transcend the body through thought and reason (Ahmed, 2004). Feminist philosophers have therefore argued that the subordination of emotions subordinates simultaneously the feminine and the body (Spelman, 1989). The pain runs even deeper when we consider shame. Aristotle has described shame as an emotion 'suitable for youth' and 'womanish' and, according to

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Freud, shame is the 'feminine characteristic par excellence' (Manion, 2003: 22).[2] Women may therefore be especially vulnerable to and differentially impacted by shame (Barriga, 2001). Indeed, for centuries, the female gender could be understood as being 'the house of shame' (Onal, 2008; Rose, 2014). Historically, a woman need not do anything in particular to feel ashamed; simply being a woman was a shameful thing, an original sin. It is as if, for much of world's history, women have carried almost on their own shoulders the whole weight of this social emotion. Given how 'sticky' shame is, the question that many feminists have asked in the last decades has been, how do we embrace a politics of shame as the answer to our political woes (see Locke, 2007: 158)?

In *Crime, shame and reintegration*, Braithwaite distinguishes between 'good' (reintegrative) and 'bad' (stigmatising) forms of shaming. Similarly, Gabriele Taylor (1985) argues that 'genuine' shame is felt when one fails to act in accordance with authentic values and 'false' shame occurs when one holds oneself to 'alien' standards (see Locke, 2007; Manion, 2003). The former is essential, but the latter is toxic. The expectation is that the more people feel genuine shame, the less they will feel false shame. Part of the feminist project, then, has become to rewrite the scripts that trigger shame.

This project lies at the root of the #MeToo movement. Born on online social platforms, #MeToo has become a lightning fast, remarkably popular, solidarity-building movement for ethical justice unlike any movement that has come before. Rather than feeling ashamed for being sexually violated and staying silent about it (as if victims were somehow responsible for their own victimisation), women have started to tell their stories, find their voices, claiming the emotion of anger and projecting their 'false' shame back onto the men who violated them. This displacement and transformation of shame has become a politically important tool today for marginalised groups of all sorts (Jacquet, 2015; Kosofsky Sedgwick, 2002), and the influence can be seen on movements from anti-racism to environmental justice. For example, Didier Eribon's works (2001, 2004, 2019) aim specifically to build a theory of resistance starting from the sketching of an anthropology of shame. He argues that there comes 'a moment when shame turns into pride. This pride is political through and through because it defies the deepest workings of normality and of normativity' (2019: 216).

Like restorative justice itself, the #MeToo movement can be understood, at its heart, as a movement *against* the 'false shame' of victim blaming rather than simply a movement in favour of the shaming of victimisers (MacKinnon, 2018). That is, #MeToo is a shame management process for victims that has opened up a remarkable Pandora's box of shame, distributing shame not just at specific

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2   There are intersectional issues here too. Shame has also been a central emotion in discourses and experiences of homosexuality. In his memoir on the making of the gay self in French working-class environments Didier Eribon writes: 'I was produced by insult; I am the son of shame' (2019: 194). In the West, moral progress has been framed as moving away from ethics associated with shame and has constructed itself as a 'guilt culture' operating according to internal norms (Williams, 1993: 5). In this framework, Eastern cultures are characterised as shame-based culture operating according to external norms – a diagnosis that is not completely innocent (Braithwaite in *Crime, shame and reintegration* distances his argument from this distinction, p. 57).

offenders (although there is no doubt in this regard), but also towards justice systems, schools, churches and even the totality of society. The failures of society and its institutions (from universities to sports organisations) to respond adequately and meaningfully to sexual violence are legion, with untold blame to be shared as articulated brilliantly in a recent feminist 'flash mob.' Originating in Chile, organised by the local feminist collective Lastesis, and influenced by the thought of the Latin American feminist Rita Laura Segato, the performance, called 'A rapist in your way', challenges the patriarchy as the cause of violence against women and victim shaming. The lyrics (including 'And the fault wasn't mine, not where I was, not how I dressed') address the failure of the justice system to protect women and redistributes shame away from victims with lyrics like 'The rapist is you. It's the cops, the judges, the state, the president. The oppressive state is a rapist.'

At the same time, the sheer speed and scale of the #MeToo as a social consciousness and political project is creating tensions with existing regulatory and normative mechanisms, such as the criminal justice system or other institutional disciplinary bodies. Many critics have worried that the shaming technology involved in the movement could have dangerous potential for abuse, magnifying false accusations without due process. Among the most notorious false accusations was the blatant effort of far-right operatives to manufacture and spread a homophobic smear about Presidential candidate Pete Buttigieg having committed rape (see Murray & Stelter, 2019).

Criminology has not begun to fully appreciate the magnitude of what is going on in this regard or the potential of these dynamics to reduce or exacerbate social conflicts and harmful societal behaviours. This is to our own shame as a discipline, especially considering we already have the conceptual resources and the beginnings of an ideal body of theoretical work necessary to do this crucial work in *Crime, shame and reintegration*. In particular, the forgotten third element (reintegration) may be conspicuously missing in #MeToo conversations and debates and yet may be the key to making the movement sustainable and generative of a better society. The struggle against victim blaming and the real need for the deflection of shame away from victims could descend into stigmatisation and punitiveness (sometimes called 'carceral feminism') or could become an opportunity for genuine social dialogue and transformation. Either way, for those interested in understanding these dynamics, there could be no better time to revisit Braithwaite's 30-year-old classic.

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