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Gender Differentials in Criminal Behaviour in Nigeria

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Abstract

The relationship between gender and crime is intense and persistent. Both women and men commit and are victims of crime, but their perspectives, understanding, and interpretation of the crime are likely to be different. While attempts have been made to explain the causes and horrible implications of crime in Nigerian society, not much has been done in terms of research to link gender with commission of crime. Thus, this paper examines the relationship between gender and crime in Nigeria. The paper enunciates the reasons for gender differential in crime and also uses the containment theory and the opportunity theory of female criminality to explain these differences. The Nigerian Prisons Service Statistics on all inmates across all the prisons in Nigeria was considered. Using the available data, the paper contends that women's crime rates are far lower than men's crime rates. The paper concludes with suggestions on how to reduce the crime rate of men, by them being closely supervised and discouraged from misbehaviour. Men should also be socialized heavily towards greater empathy.

Keywords: *Women, Men, Delinquency, Behaviour*

1.0 Introduction

Crime has been the bane of the Nigerian society in recent times. No one seems to be insulated against its adverse effects as crime is now a palpable malaise which prevails virtually in every part of the country. The adverse effects on the society by crime that has reached almost endemic proportions cannot be over-emphasized. It goes well beyond loss and the considerable pain suffered by crime victims; it also discourages investment, growth and sustainable development, inter-alia. Hence, it is imperative to understand and divulge the factors that are abetting crime in the society (Demombynes and Ozler, 2005).

Gender is a salient predictor of criminal behaviour. Both men and women commit crime but differ in their crime rates. The gap in the crime rate of men and women can

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be said to be sheer and remarkable in virtually all known human societies-primitive, modern, developed, developing and underdeveloped-and for most crime categories. Heidensohn and Rafter (1995) assert that though in recent years gender has been an established topic in criminology and sociology, traditional sociologists and criminologists in the past neglected the disparity in the crime rate of men and women and the causes of this variance to the extent that most female offences are being ignored.

The disregard of females' crime in the past is because crime management processes, ranging from crime prevention and policing through to policy making and theoretical formulation, have been dealt with or been the task of men, and oftentimes they portray what could be regarded as a one-sided view which is not all inclusive as few women participate in the crime management processes (Naffine, 1996). In other words, most criminal justice and security experts as well as most of the people involved in the criminal justice system are men. This comes as a result of the stereotypical view that men perpetrate much more serious criminal offences than women, and that most women's crimes are spontaneous and unintentional.

Smart (1977:1) stated: *'Our knowledge is still in its infancy. In comparison with the massive documentation on all aspects of male delinquency and criminality, the amount of work carried out on the area of women and crime is extremely limited'*. The reasons for this neglect according to Smart (1977) are: women offenders are seen and regarded as less problematic for the society as they commit lesser crimes than men; oftentimes crimes committed by women appear to be comparatively less serious in nature, thus not worthy of research; Sociology and Criminology have been dominated by males and the bulk of their studies focuses on men.

Official statistics (such as Home Office, 1987; 1994; NBS, 2010; NPS, 2011; 2012; 2013; 2014; Ministry of Justice, 2015; Bureau of Justice Statistics, 2015, etc.,) show that female offenders are fewer than male offenders for all crime categories. The various official statistics fail to explain adequately the reason for the differences in the rates of men and women crime. Various studies (for example, Heidensohn & Rafter, 1995; Blanchette & Brown, 2006; Ntuli, 2009; Sapouna, Bisset & Conlong, 2011; Snyder & Mulako-Wangota, 2014; Geraghty, 2015 etc.) have been conducted in the last two decades in other countries, particularly the advanced countries on the reasons for the low crime rate of females vis-à-vis males. It is important to note that little research has been done in the area of gender disparity in criminal behaviour in this part of the world. It is this lacuna that this paper endeavours to fill. This is consequential because analysing the discrepancy in the crime rates of men vis-à-vis women and explaining the reasons females commit fewer crimes than males will help to divulge the underlying causes of crime and how to reduce it to the barest minimum.

2.0 Conceptualizing Gender and Crime

This section conceptualizes the concept of gender and crime. To enhance understanding two main concepts are therefore conceptualized and explained: gender and crime.

2.1 Gender

Gender refers to the economic, social, political, and cultural attributes and opportunities and constraints associated with being female and male. In other words, gender relates to the socially and culturally constructed roles for men and women. For instance, the gender roles of men as owners of property, decision makers and heads of the household are socially, historically and culturally constructed and have nothing to do with biological differences. The social definitions of what it means to be female and male vary from one culture to another and change over time. Mason (1984) notes that there is hardly any society where men and women occupy equal status. This is because each individual sex has specific roles to perform and there are varying ways of awarding merit within these roles. Aluko and Ajani (2006: 147) observe that in Nigeria, gender does not only create duality of femininity and masculinity, it also places women lower in a hierarchy in which femaleness is generally valued less than maleness because of their socially ascribed roles in the reproductive sphere.

2.2 Crime

The term crime does not have any simple and universally accepted definition. It is defined in various ways by different people. The most popular view according to Lindsay (2008) is that crime is being created by the law or is a product of the law. That is, where there is no law, there will be no crime; an act can only be regarded as a crime if there is a law that sees or classifies it as such. The Oxford English Dictionary (2009) defines crime as an unlawful act punishable by the state. It is an act, which could be harmful to an individual, some individuals and the larger society. Through an established system of laws, the society defines what is and what crime is or is not. For an act to be an offence or crime there must be an extant law prohibiting such an act. Consequently, crime occurs when an individual breaks or acts against the law. Crime could be an overt act, omission or neglect that can result in punishment.

There is a nexus between gender and crime as there are differences and similarities between men and women in terms of their criminal behaviour and their experiences of the criminal justice system. The low crime rate of women vis-à-vis men is a universal phenomenon, notwithstanding the difference in its nature and degree across different countries and over time. By far the majority of criminal cases are committed by men, and when women offend, they tend to commit low-level, non-violent offences which pose little risk to society (see Home Office, 1987; 1994; NBS, 2010; NPS, 2011; 2012; 2013; 2014).

3.0 Reasons for the Disparity in the Crime Rate of Men and Women in Nigeria

It is apposite to observe that there is nothing particularly inherent in the human biological sex that predisposes men or women towards crime. That is, there is no concrete and proven evidence that reveals that the inherent personality predisposition of women and girls is quite different from that of men and boys. In terms of their personality, for example, it is not uncommon to see females committing crimes. Also, not all males are involved in crime.

Felson (2002) opines that the drive for female and male crime is similar, while Blanchette and Brown (2006) argue that the motivating factors that lead to criminal behaviour may be different for female offenders. Common risk factors for female and male offenders according to de Vogel and de Vries Robbé (2013); Blanchette and Brown (2006) and Chesney-Lind and Shelden (2004) are referred to as 'gender-neutral' risk factors. These factors include: poverty, childhood abuse, peer influence, relationship instability, etc. However, these factors may operate in distinct ways for the female offenders. The growing gender-responsive literature assumes that male offenders are very different from female offenders, as evidenced by their distinct paths into criminal behaviour and the offences in which they engage (Belknap, 2007 and Chesney-Lind & Shelden, 2004). Therefore, we have to look at the factors related to sex that might allow us to explain the involvement of men and women in criminal behaviour in Nigeria.

3.1 Socialization

Geraghty (2015) argues that the different methods of socialization of males and females could account for the differences in crime committed by men and women. Females and males in our society are socialized in a different manner. Female socialization underscores passivity as a feminine attribute (which could be the reason for the relative dearth of female violence). They are also socialized to be submissive, tolerant and patient, while boys according to Bowie (2007) are socialized to act more assertively or decisively.

Male gender socialization prods men to be more aggressive, thus they are more likely to act violently when solving their problems. On the other hand, female gender socialization encourages women to be less confrontational thus they are more likely to be non-violent in the course of resolving their problems (Abbott and Wallace, 1990).

Also, in the course of socialization, boys are given greater leeway within the family than girls, and this gives the boys more opportunities to commit crimes. For instance, parents control who the young girls associate with and also how much time they can spend with friends. Hagan, Simpson and Gillis (1987) assert that in most cases the boys are given less parental monitoring and are allowed and expected to take more risks than the girls and this can be said to be one of the reasons for the gender disparity in criminal activities by means of affection for risk (a concept which is theoretically related to impulsivity).

3.2 Perception and Attitude of the Social Control Agencies

In any social group or environment where control is tightly and strictly enforced, both males and females tend to be discouraged from committing crime. The Police and other control agencies have a mind-set or a predetermined ideological conception of both criminals and crimes, which gives them direction or serves as a guide in their work. Livesey (2010) asserts that, “*the more that the idea of an association between male and female crime becomes established, the more the process of criminalization begins to resemble a self-fulfilling prophecy*”. That is, if control agencies have stereotypical views about ‘typical criminals’, women and girls could be excluded so easily from this type of category. Thus, they are not likely to suspect, arrest, and punish the female criminals through imprisonment (since the females may not be tagged and perceived as ‘real criminals’).

Courts and police mostly exonerate female offenders by adopting a ‘medical model’ for female crime. The ‘medical model’ provides a medical explanation for female crime by stressing that women who commit crimes or female offenders are assumed to be acting ‘abnormally’, hence, the female offenders in most cases require treatment and not punishment as they could not help themselves.

3.3 Opportunity Structure and Opportunities for Criminal Behaviour

Opportunities for criminal behaviour determine the rate of crime in the society. If opportunity is denied for both males and females, the occurrence of crime will be very minimal; hence, such society will be very safe and secured. When both males and females have equal and similar opportunities to commit crime, they are both likely to commit crime and may have similar patterns of crimes (Felson, 2002). Similarly, when there is a lacuna in the opportunity structures for men and women, there will be disparity in the crime rate of men and women.

3.4 Law, Sex and Criminality

Ostensibly, virtually all criminal laws are sex blind: most laws do not have regard for sex, they focus on criminals and not the sex of the criminal and it is expected to be applied for both sexes. However, in reality, the interpretation and application of some laws is not sex blind; several laws are mostly applied to members of a particular sex. For instance, only men can be and are mostly convicted for rape in Nigeria, while only women are convicted for prostitution. Also, it is mostly men who are convicted of fornication and battering.

3.5 Secretive Nature of Female Offence

The secretive nature of female offence is also one of the factors accounting for the differences in male and female crime. A major problem with the official statistics on convictions is that they tell us only the numbers arrested and convicted for crimes. There is a large amount of unsolved crime, and we know nothing about those who perpetrate it. Furthermore, self-report and victim surveys suggest that there is a large amount of crime that is never reported to the police (Alemika, 2013). The problem is that we do not know the size or distribution of this hidden crime. Known crime is like

the tip of an iceberg, that which is visible; research suggests that some crimes, visible ones, are more likely to be reported to and recorded by the police than hidden crimes, those that take place in private. The crime statistics according to Abbott and Wallace (1990) do not represent the exact amount of crime. It is, therefore, imperative to ask if the gap between men and women conviction's rates represents a true gap in the law breaking of women and men, or simply mirror the fact that women are better at concealing their wrongdoings. Pollack (1950) argues that men are not more criminal than women. He argued that women are very secretive and are naturally good at hiding their actions. Pollack (1950) suggested that this perhaps is due to the fact the victims are more likely to be minors. Also, the victims do not report and complain.

4.0 Gender and Crime: Theoretical Arguments

In order to understand the relationship between gender and crime in Nigeria, the containment theory and the opportunity theory of female criminality were used as explanatory tools. These theories are some of the nuances of gender specific paradigms which help to explain the gender gap in crime by succinctly showing the factors that shield women from committing crime and those factors that expose men to crime. These theories could be used to explain the gender differences in criminal behaviour in Nigeria and other countries as well. The theories depict the factors that are specific to females that reduce their propensity to commit crime and those factors that are specific to males that increase their propensity to commit crime.

4.1 Containment Theory of Crime

The containment theory is an interdisciplinary theory which is believed to be one of the foremost social control theories. It is a nuance of the social control theory because it focuses on what 'contains' people, that is, what 'stops' or 'prevents' people from committing crime. The theory came into the limelight in the 1950's and 1960's and has since then become a staple and a theory to reckon with in the field of criminological theory (Flexon, 2010: 4). The containment theory asks and addresses the salient questions: 'why and how can crime be avoided by people?' Walter Reckless (1967: 522) asserts:

...the important question that must be answered in explaining criminal behaviour is why, given the alternatives of law-abiding and law-violating behaviour, some people turn to one or the other behaviour.

Reckless suggests that the concept 'self' is the salient factor in illuminating the choice among available options of behaviour. A favourable and good self-concept directs and pushes an individual towards law-conforming behaviour while, on the other hand, an unfavourable or bad self-concept directs and pushes him towards delinquent behaviour. The 'control' has two parts: inner control and outer control; the balance of these parts will determine the behaviour of an individual.

The theory argues that there are two mechanisms to prevent and control criminal behaviour in the society-push and pull and each factor has its own external and internal factors. Crime according to the containment theory is a force of interplay between the push and pull factors. The theory believes that all humans have the urge to engage in criminal behaviour. However, this urge could be resisted by two buffers, that is, the inner which is internal and the outer which is the external containment of the push and pull factors.

The theory further suggests that people can be insulated against crime if the pull force is stronger than the push force. That is, people will refrain from criminal activities by containing their impulses, but if the push force is stronger than the pull force, then it will be very difficult to retract one from committing crime. The push and pull has both internal and external factors. The internal pull-strong self-control, ego, high frustration tolerance and management, high sense of responsibility, high moral and religious values while the external pull includes: consistent moral value models, effective supervision and control from other family members or society supportive group, etc. The internal push includes: greed, notion of inferiority complex, hostility, tension and frustration while the external push includes: poverty, unemployment, low status, lack of opportunity, family conflict, family breakdown and bad friends.

By this theory, there is a discrepancy in the male to female crime rate in Nigeria as a result of the interplay between the pull and push factors. The pull factor seems to outweigh the push factor in females and this can be said to be the major reason for the lower rate of female crime. Males are typically more openly aggressive than females (Coie & Dodge 1997), which violent crime statistics support, more rapacious and frustrated than females. Some scholars argued that women are not necessarily less violent and aggressive, but that they try to conceal their aggression by making it less physical. For example, in Nigeria, females may display their aggression verbally and through gesture. Men, however, are likely to display their aggression physically. Though both men and women are socialized to have strong control, high frustration tolerance, high sense of responsibility, high moral and religious values, however, the Nigerian society and the family tend to emphasise these values more on women than men and this can be said to be one of the fundamental reasons that account for the variation in male and female crimes in Nigeria. Also external support, such as effective supervision and control, financial and moral support from the environment have been received predominantly by women rather than men.

4. 2 Opportunity Theory of Female Criminality

The opportunity theory of female criminality is one of the nuances of the opportunity theory. The opportunity theory of female criminality was propounded by Rita J. Simon in 1975. The theory dwells more on the descriptions of various forms of female criminality-nature, type and also the role of court and jail in this regard. Simon argues that there is no difference between females and males in terms of morality and that there is nothing particularly inherent in human biological sex that

predisposes men or women towards crime. When succinct opportunities for criminal activities abound, both male and female are likely to perpetrate crime.

Crime opportunities are necessary prerequisites for crime to occur. Simon further contends that over time, males perpetrate more crimes than females because of their greater social opportunities, networking and competences. Gender gap in the extant opportunities is the cause of gender gap in crime rate. If female opportunity, social communication, efficiency and networking are increased, then the rate of female criminality will ultimately increase (Small, 2000). Simon (1975: 3) argues that:

... when more women get access in labour market as skilled labour and possess highly specialized position in the job sector they commit more employment related property crime like men. Some women take the advantage of these opportunities, just as some men do before.

Hence, the more women are emancipated politically, socially, culturally and economically, the more the opportunities to commit crime will abound and the more the female criminality will increase. Also, in most countries, boys are given greater leeway within and outside the family than girls, and this gives more opportunity to the boys to commit crime. For instance, in Nigeria, parents restrict and control who the girls can associate with and how much time they can spend with friends.

By this theory, gender differential in crime in Nigeria is as a result of the differences in the available opportunities. Males tend to have more opportunities to commit crime than females which in turn leads to more male criminality than female. Reducing males' criminality therefore involves reducing the crime opportunities for males by closely monitoring them.

5.0 Methodology

The study was conducted in Nigeria. Secondary data was obtained from the Nigerian Prisons Service. Statistics on the population of the prison inmates by gender across all the prisons in Nigeria as of April 2014 and March 2016 was used. It is crucial to note that there are 241 prisons in Nigeria and data across all the 241 prisons were obtained. The percentages and the mode were used to analyse the data.

6.0 Discussion

This section presents and discusses the findings of the study. Under this section we analyse the gender composition of Nigerian prison inmates and discuss it within the two theories highlighted earlier on, that is, the containment and the opportunity theories.

6.1 Results

Table 1 shows gender distribution of the prison inmates across all the prisons in Nigeria as of 30th of April 2014. The data divulge that the total population of the prison inmates was 55,935 with men accounting for 54,846 which is 98%, while

women were 1,089 which is 2%. The breakdown of the population shows that the total number of people awaiting trial was 38,279; men accounted for 37,444 representing 98%, while women accounted for 835 representing 2%. The total number of convicted prisoners was 17,656 out of which men accounted for 17,402 which is 98.6%, while 1.4% (254) were women.

Table 1 Nigerian Prison Inmates Population as of 30 April 2014

	Male	Female	Total	Percentage
Convicted Prisoners	17,402	254	17,656	32
Unconvicted Prisoners	37,444	835	38,279	68
Total	54,846	1,089	55,935	100

Source: Nigerian Prison Service (2014)

Table 2 displays the breakdown of the convicted prisoners in all Nigerian prisons as of 30th of April 2014. The data from the table show that 98.8% (8,255) men were given short term jail, which is less than 2yrs, while 1.2% (97) women were given short term jail. As for long term jail, 98.3% (7,251) men were given long term jail, while 1.7% (125) women were given long time jail. Data of condemned convicts, that is, those given death sentence show that 98.3% (1410) were men, while 1.7% (24) were women. Lastly, data of those given life imprisonment show that 98.4% (486) were men, while 1.6% (8) were women.

Table 2 Breakdown of the Convicted Prisoners as of April 30th 2014

	Male	Female	Total	Percentage
Short term (< 2 yrs)	8,255	97	8,352	47
Long term (> or = 2yrs)	7,251	125	7,376	42
Condemned convicts (death row)	1,410	24	1,434	8
Lifers	486	8	494	3
Total	17,132	272	17,404	100

Source: Nigerian Prison Service (2014)

It is important to note that the above data corroborate the recently released population of the prison inmates by the Nigerian Prison Service as shown in Table 3. Data from the table divulge that the total population of the prison inmates was 63,142 with men accounting for 62,099, that is, 98.3% while women were 1,043 which is only 1.7%. The breakdown of the population shows that the total number of inmates awaiting trial was 45,263. Out of these, men accounted for 44,432 which is 98.2%, while women accounted for 831 which is 1.8%. As for the convicted prisoners,

17,879 people were convicted; men accounted for 17,667 which is 98.8%, while the women numbered only 212, that is, 1.2%.

From the available data, it can be established that men are more likely to indulge in criminal behaviour than women.

Table 3 Nigerian Prison Inmates Population as of 31st March, 2016

	Male	Female	Total	Percentage
Convicted Prisoners	17,667	212	17,879	28
Unconvicted Prisoners	44,432	831	45,263	72
Total	62,099	1,043	63,142	100

Source: Nigerian Prison Service (2014)

It is important to note that our findings corroborate the assumptions of Walter Reckless' (1967) containment theory and Simon's (1975) opportunity theory of female criminality. The two theories show that male criminality will be greater than that of female as men have more opportunities compared to women as they occupied most power positions within an organization and the larger society. In Nigerian society, women are mostly shielded and closely monitored from committing crime. Therefore, when opportunities and factors that contain people from committing crime differ across gender, crime rates will ultimately differ across gender too.

7.0 Conclusion and Suggestions

Crime, which is an action or omission that violates a law, and which results in punishment is perpetrated by both males and females, though the patterns of offending by males and females are noted both for their differences and for their similarities. Criminologists agree that globally there is gender gap in crime: men in all known human societies commit more crime than women. Both men and women perpetrate more minor offences than serious offences. However, men's crime rates are much higher than women's crime rates and this is consistent for all crime categories (NBS, 2010).

It is worth reiterating that there is nothing particularly inherent in human biological sex that predisposes men or women towards crime. That is, there is no concrete and proven evidence that reveals that the inherent personality predispositions of women and girls are quite different from those of men and boys. The avalanche of crime rate of males is as a result of the factors mentioned in the previous sections. It is on this note that the paper recommends that efforts to mitigate the crime rate of males should be geared toward addressing their moral development and socialization process. The gender differences in the socialization process and moral development of men and women should be bridged. Males should also be socialized heavily towards greater empathy, sensitivity to the need of others and fear of separation from loved ones. That is, the nitty-gritty of males' socialization should be towards an 'ethic

of care' and not 'status-seeking' behaviour; this will go a long way in attenuating the rate of males' crime in the society.

Lastly, males should also be closely supervised and discouraged from misbehaviour. Careful monitoring of boys' associates and strong social bonds will reduce the potential for influence by delinquent peers.

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