

Theories of Female Criminality: A criminological analysis

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Abstract

Female criminality is one of the important phenomena in popular media and also in academic discourse of contemporary scholastic arena like sociology, criminology, psychology and anthropology. The changing nature of female's roles in capitalist system instigate female more to involve in violent and property crimes. The main intent of the study is to review the major theories of female criminality such as masculinization, opportunity, marginalization and chivalry. The authors also tried to shed light on the acceptability and validity of female criminality theories on female criminal activities. This study mainly relies on secondary sources. Data have been collected from journal articles, books, research reports, government documents and so on. Among the theories of masculinization, opportunity, marginalization and chivalry; marginalization theory is the most relevant and significant for analyzing causes of female criminality in contemporary third world societies. On the other hand, masculinities and opportunities theories are sometimes partially applicable to predict criminality of women in first world countries.

Introduction and Context of the Study

Gender is now an established and central topic in criminology and studies of criminal justice (Heidonshen & Silvestri: 1995). It was believed till a few decades ago that crime is predominately a male phenomenon and the world of crime is only a man's world. The subject of female criminality was totally a neglected phenomenon. No attention was paid to research on women's crime which resulted in paucity of theoretical materials on crime amongst women (Ahuja, 2000:113). Historically, criminologists ignored female criminality. The little attention that was given to female offenders usually was limited to three contexts: (i). comparison that understood women's lack of involvement in crime related to men; (ii). studies of prostitution; and (iii) analyses of the depravity of violent women, the rational being that since normal women are passive, the few women who do commit violent crime must be sick (Curran and Ranzetti: 2001). But, in contemporary age, female criminality is growing attention towards the readers because of the nature of news published in popular media. The number of crime committed by female is increased in recent days because of the marginal nature of women, discrimination in family life and workplace environment and complex lifestyles (Islam and Khatun: 2013) and impact of popular media (Siegel: 2007). Now a days, every 12 women in 1,00, 000 are engaged in female criminality in Bangladesh which is comparatively low in the context of developed

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countries [USA (1154), Germany (516), Thailand (316)] but comparatively high as to our neighboring country, India (8) (Police Statistics: 2010; Ahuja: 2000). Though, eminent criminologist Auto Pollack (1950) indicated that female criminality is a 'hidden crime' (Chelik: 2008).

Moreover, women commit more serious crime than their male counterpart. In a research article, Islam and Khatun (2013) showed recently that women commit more violent crime than any other types of crime. In Bangladesh, on the basis of percentage distributions, female have committed more violent crime (66%) than any other crimes in 2012. Among the violent crimes, female have participated in murder or attempt to murder (65.2%), assault/collision (10.6%), grievous hurt and hurt (11.3%), and abduction/attempt to abduction (6.9%). The question is why are females more involved in murder, grievous hurt, assault, abduction or collision related violent activities? To know the causes of female involvement in violent criminality as well as any other petty crime in contemporary societies, the major theories of feminist criminology has been reviewed in this paper.

The dominant theories of crime (e.g., anomie, cultural transmission, conflict) are essentially theories of lower class, male criminal behavior. This typically disregard female crime as relevant research and theoretical problems, primarily because they are anchored in official measures of crime which suggest that both middle class and female criminality are relatively negligible and insignificant (Weis, 1976:17). In general, theories of female criminal behavior have been sexualized, psychologized and syllogized. Beginning with the biological theory of Lombroso (1898), elaborated in the psychological theory of Freud (1905, 1931, 1933), and modernized in the contemporary theory that women's liberation causes female crime, a theoretical perspective has developed which claim that female crime is product of the masculinization of female behavior. Female criminals are more 'masculine' than non-criminals females, biologically, psychologically, and socially. In social psychological terms, female criminal behavior is a concomitant of role reversal (Weis, 1976).

Additionally, the concern with 'Female criminality and crime' began historically with the seminal work of Freda Adler (1975), Rita J. Simon (1975), Smart (1977) and was continued by Leonard (1982), Heidensohn (1985), Morris (1987) and Naffine (1987). These texts shared a number of common concerns: first, to raise the visibility of women within criminological knowledge; second, to address women's relationship with crime not only as offenders but also as victims; and third, to understand crime as a male-dominated activity produced not as a result of sex differences but as a product of gender differences (Walkate, 2003:74). On the other hand, Feminist criminologists also tried to explain the nature of women criminality from their point of view. However, many of these early texts tended to treat the 'woman and crime problem' as if it were a separate and separable issue within criminology.

Although some aforementioned academic work has done by the academicians, those studies partially focused on certain aspect of female crime and criminality which can hardly present a pen picture of nature of female criminality from a theoretical perspectives in a given societies. That is why; this study is intended to present the comprehensive and holistic review of female criminality theories. In addition, an attempt is made to compare the major theories and their associated assumptions about the nature of female criminality.

Methodology

The study is mainly qualitative in nature and is based on secondary materials (available literature). Mainly relevant theories of female criminality has been reviewed from available and accessible books, articles etc. Besides, data and information have been collected from available secondary sources such as journal articles, research reports, books, newspaper and periodicals. Furthermore, the contents has been analyzed descriptively and a comparative analysis of the theories has been done to describe the nature of female criminality.

Analysis

Generally classical theories of crime emerged to find out the answer to the following questions, 'Why does a person commit a crime?' and/or 'What factors contribute tor committing crime?' In the early periods of the classical theories, any types of crime and criminality were treated as male crime. Day

by day, with the increasing the rate of female criminality, rationally a question arises- Is it possible to understand female criminality by male dominating theories? If it possible, how much will it be relevant or rational?" 'Besides distinct biological characteristics, women also bear a different and/or unique socio-psychological personality (Simpson, 2000: 03). Another question is, Shall we consider all the female crimes from the same theoretical point of view? In criminological research and its related literature there are four theoretical traditions of female criminality and its causation: (i) Masculinity Theories, (ii) Opportunity theories, (iii) Marginalization theories, and (iv) Chivalry theory (Islam and Khatun:2013).

The book published by the prominent female criminologist Freda Adler *Sister in Crime: The Rise of a new female criminal-* in 1975, has helped to develop the masculinity theory. The central theme of the book is that women's crime had begun to change in both quantity and quality and that this was due not to an alteration in women's nature but rather because of increased criminal opportunities for women. In fact, Adler's theory of masculinity was the new explanation of the masculinity complex in the arena of theories which derived from sociology. It has come from Sigmund Frued's theory of 'Penis envy', according to which it is believed that 'women revolt because of their subordinate positions to man in society'. Freud (1933) psychologizes the anatomy is destiny theory. Those women who cannot 'adjust' to their absence of and longing for a penis in culturally prescribed manner of dutiful sexual performance and motherhood, attempt to acquire symbolic masculinity by aggressively rebelling against their 'natural' feminine roles. Klein stated that, "She is aggressively rebellious, and her drive to accomplishment is the expression of her longing for a panis" (Curran and Ranzetti, 2001: 77). They engage in behavior (conventional and criminal) which they believe signifies masculinity in order to compensate for their lack of an anatomical sign of maleness. They deny their female role and femininity and identify with then male role and masculinity. In short they "attempt to be a man" (Klein, 1973:17). Among three tradition of masculinity theory, the first was developed by the famous criminologist Cesare Lombroso, the father of Biological doctrine. Biologically, crime is mainly a male dominated phenomenon, where male characteristics are responsible for those crimes (Harrington and Nee, 2005: 03). For the internal physio-chemical characteristics, the females are more conservative and play a neutral role, consequently, committing less crime than males (Lombroso & Ferraro, 1895). According to Lombroso (1899), the female offender has a "virile cranium" an overabundance of body hair, and constitutional anomalies and brain capacity which are more similar to those of a man than to a non-criminal woman⁴ (Weis, 1976:17). From some specific examples of female criminality Lombroso argues that, criminality is principally the product of inconsistent and altered thought of women related to their indirect role in domestic affairs (Cf Simpson, 2000: 04). The females who are involved with crime are dominated by male characteristics in their personality (Harrington and Nee, 2005: 3-4).

In the contemporary age, two reasons are considered for less acceptability of early biological theory, Firstly, the theory is sexually- partial and gender biased (Simpson, 2000: 04) and secondly, if the masculine characteristics are the only responsible factor for crime, then why doesn't all man commit crime? (Harrington and Nee, 2005: 4). For these reason, beyond biological explanation, there has developed a type of masculinity theory based on socio-structural explanation, which focuses on the relationships between crime and the masculine characteristics of women. One idea has been reflected here according to which different socialization processes trigger much more differences between male and female- which is a more significant causes for crime than the biological traits. Freda Adler in addition to the masculinity theory, argued that, women are involved in more crime due to the increasing participation of women in social movements since the 1970s, which changed role of female in family and the feelings of independence in her work and thought. All these factors promote the 'masculinization processes of women' role in society (Harrington and Nee: 2005, Ahuja: 1996). According to Adler, the United States in the mid 1970s was in the midst of a female crime wave. Although men were still committing a greater absolute number of offences, the female crime rate was

⁴ See Klein (1973) for an informative discussion of Lombroso and other theoretician of female crime and delinquency. The biological basis of the masculinization of female behavior has been reiterated by Spaulding (1923), Healy and Bronner(1926), the Gluecks (1934), and most recently by Cowie, Cowie and Slater (1963) who propose that the observed "markedly masculine traits" of delinquent girls can be traced to chromosomal abnormalities.

increasing more than the male crime rate. For example, Adler cited statistics from UCR that show that between 1960 and 1972, women's arrest rates for robbery increased 277 percent compared with a 169 percent increase for men (Curran and Renzetti: 2001). What is more, Adler argued that females were not only engaged in greater criminal activity than previously, but their crimes were assuming a more serious and violent character. Women were now committing crimes traditionally committed by men. Therefore, Its most visible exponents proposes that 'the social revolution of the sixties has virilized (!) its previously or presumably docile segment' (Adler, 1975: 87). With the 'increasing masculinization of female social and criminal behavior' has come an increase in the frequency and variety of their criminal activity (Weis, 1976:18). That is, 'women are committing more crimes than ever before. Those crime involve a greater degree of violence' (Adler, 1975:3). As women become more liberal in their thinking and work, this helps them to integrate the male characteristics of being aggressive, pushy, and hardheadedness in their personality. Women learn to utilize crime as a means of acquiring success and wealth, and thus they become more violent. As a result of the masculinization process of women, their rates of criminality for both property and violent offences are increasing as well (Small, 2000: 75). Masculine characteristics are seen as a driving force behind the criminality of women in every aspect of masculinity theories: biological, psychological and sociological (Islam and Khatun: 2013). (Table-01 next page)

Table-01: Comparisons between different theories of Female Criminality

Theory	Major Proponents and Works	Major Premise	Strengths	Weakness
Masculinization theory	Freda Adler: <i>Sister in Crime: The Rise of the New Female Criminals</i> (1975)	Criminalities of women are mainly depended on the masculinity behavior of female. The empowered women are involved in more serious violent crime than non-empowered women due to the masculinity.	Can explain the pattern and trends of female crime in first world nations. Able to explain the involvement of women in property crime.	This theory is criticized by feminist scholars because of the male centeredness ideology. Cannot able to explain the criminality of women in third world societies.
Opportunity theory	Rita J. Simon: <i>Women and Society</i> (1976)	The involvement of criminal activities is increased when women have different opportunities. Increasing opportunities of women reduced the rates of violent female offending, but increased the rates of property crimes.	Able to explain multiple nature of female criminality.	Data do not support the hypothesis of opportunities theories in relations to region, class and employment.
Marginalization theory	Meda-Chesney Lind: <i>Women and Crime: The Female Offender</i> (1986)	Marginality (low salary; inadequate job ; lower class position; family victimization) of a woman penetrates criminality in contemporary societies. Victimization of women instigates themselves to commit crime.	Basically, marginality theory is based on facts and huge data. It is more reliable and valid than others.	Cannot able to explain the nature of white collar and corporate criminality by upper class women.
Chivalry or Paternalism theory	Thomas: <i>Sex and Society</i> (1907) Otto Pollack: <i>The Criminality of Women</i> (1950)	Lower rates of female criminality exist because of the more lenient treatment of female offenders by criminal justice personnel. Men commits certain crime with the instigation of women.	Can explain the role of criminal justice system in explaining female criminality.	Chivalry is myth and hidden discourse.

“Opportunity theory” theory of female criminality is developed by Rita J. Simon (1975) in the book *Women and Crime*. She emphasized the descriptions of different dimensions of female criminality, that is- type, nature and also the corrective role of jail and court in this regard. She showed that there is no difference between male and female in terms of morality, the biological characteristics not being relevant for committing crime. According to the empirical observations of this theory, she argued that historically, males are more active in crime because of their greater social opportunities, competences, and networking than females. In the broader social context, if female opportunity, efficiency and social communication are increased, then the rate of female criminality increases accordingly (Small: 2000, Chelik: 2008). Simon logically argued that, ‘when more women get access in labor market as skilled labor 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’ (Simon, 1975: 03). On the other hand, she logically comments that, ‘If women become more skilled and educated, they will be economically independent in future’. Consequently, the rate of violent crime of female will be reduced since women generally commit violent acts against their husbands or inmate partners. Still, she asserted that women were committing more crimes generally characterized as masculine, particularly white-collar and occupationally offences (Curran and Ranzetti: 2001). When women become more educated and independent they will be more able to resolve these often volatile situations in other less violent ways. Additionally, she argued that the decrease in female violent crime was the result of feminism. ‘As women feel more liberated physically, emotionally, and legally, and are less subjected to male power, their frustrations and anger decrease ... [which results] in a decline in their desire to kill the usual objects of their anger of frustration: their husbands, lovers, and other men upon whom they are dependent, but insecure about’ (Simon, 1975:40). This is where the masculinity theory differs from the opportunity theory. This point is often missed by researchers who link the two theories together as one, and labeling them as the liberation or gender equality theory. Overall, the opportunity theory predicts that increasing opportunities of women reduce the rates of violent female criminality, but increase the rates of property female criminality, especially larceny/theft, embezzlement, fraud, and forgery.

Adler’s and Simon’s perspective, clearly a form of opportunity theory is also known as the emancipation theory of female crime. Actually, this argument is not totally new; as Chesney Lind (1997) points out, during the first wave of feminism, criminologists and others warned that the emancipation of women would increase crime and immorality among women and girls. However, one problem with both Adler’s and Simon’s work was their reliance on official crime statistics. Also secondly, although women’s labor force participation has risen dramatically over the past twenty five years, women remain segregated in low-prestige, low-paying clerical, sales and service occupations (Curran and Ranzetti: 2001). In that point, in her comparison of male and female offenders, Daly (1988) found that a higher percentage of female offenders has no ties to the paid labor force, they were involved in offences that were not occupational, but instead included defrauding banks through loan or credit cards, or defrauding the government by obtaining benefits to which they were not legally entitled. Yet, the greatest value of Adler’s and Simon’s work is that it forced a contemporary reassessment of the relationship between gender and participation in criminal activity.

The third important theory is economic marginalization theory for explaining the nature and etiology of female criminality. Daly and Chesney-Lind (1988) raise two key questions in relation to criminological theory. First, they ask whether theories generated to describe men’s or boys’ of ending can apply to women and girls (what they call the ‘generalizability problem’). Secondly, they ask why women commit less crime than men (what they term the ‘gender ratio problem’). In other words, they express concern about ‘gender’, the implication being that theories of crime must be able to take account of both men’s and women’s (criminal) behavior, and that they must also be able to highlight factors which operate differently on men and women (Heidonshen & Silvestri: 1995:337). Proponents of this theory claim that more female participation in the labor force does not necessarily indicate either more gender equality or improved economic condition for women (Chesney-Lind, 1997). To find out the causes of the majority of female criminality it has been seen that their position is

marginalized by less salary, un-respectful occupation and less secured job. Generally, they commit less property related crime. Women are motivated to commit crime as a rational response to poverty and economic insecurity. This theory argues that the major causes of female crime are unemployment, poorly paid employment, inadequate welfare payments, and the increasing number of female headed households with large number of children (Small, 2000: 76). The mainstream marginalization theory is strongly related to other two theoretical trends. These two are-(a) Marxist theory, and (b) Feminist theory. According to Marxist Smith (1980), in her seminal article "Women, crime and deviance", 'In capitalist social structure, female commit crime as a result of their socialization process' (Ahuja, 1996: 114). The real conditions of the aforementioned causes induce the female gradually toward a marginalization position and, as a result, females commit more crime for their economic need. On the other hand, feminist theorists emphasized on the early childhood experience of women's physical and sexual torture and relate this to female criminality. Chesney-Lind and Sheldon said, 'the exploitation and torture on female by male instigates themselves to commit crime and drug addiction' (Simpson, 2000: 05). Ogle, Maiyer Katkin and Bernard (1995) support the above logic to develop their 'homicidal theory'. They showed that homicide has a positive relation with the rate of repeated victimization (Ahuja: 1996).

Lastly, to explain the female criminality, the chivalry theory argues that historically there have been lower rates of female criminality because of the more lenient treatment of female offenders by criminal justice personnel. According to the chivalry theory, females are more prone to violating the law but according to the economic standard they treated as less destructive in nature. Thus, female offences get less importance than male ones in the criminal justice system.

Conclusions

Above all, on the basis of the theoretical explanation of female criminality in world perspectives, the following conclusion may be drawn up. Firstly, "female bearing masculinity characteristic and participate in crime commission" the proposition of Adler's masculinity theory is questionable or in many cases inconsistent in the context of global female crime. Female are engaging with crime as a result of their repeat victimization inside the family or society. Secondly, Rita J. Simon's opportunistic theory is less acceptable because, female has fewer opportunities to participate in the formal economic sector particularly in third world societies, which leads to commit violent crime instead of property related crime. The claims of emancipation theories seem overstated at best. With the exception of petty property and drug offences, women have not made significant gains on male rates of crime, nor do they appear engaged in more violent, masculine or serious offences. Thirdly in case of reported crime, it is shown that females are committing severe crimes more than less serious crime. As a result, the Chivalry theory is not also applicable in existing capitalist societies. Lastly, familial conflict, increased separation rate, continuous victimization and disparity in economic sectors forced women to marginal position in a society. Consequently, female are engaging more with crime than in the past. So, considering findings of the study from theoretical perspectives, in the explanation of female criminality in global world, the marginalization theory of Chesney-Lind is more empirically valid and reliable.

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