

## EWC ENTRIES

**Asian Female Offenders***Introduction*

Asia is a large continent and a geographical region typically outside the mainstream international criminology. There is considerable racial, cultural, and linguistic diversity and national variations in socio-political settings, economic development, law, religion, and cultural traditions among Asian countries.

Scholarly literature on female criminality and female offenders in Asia is extremely scarce for three major reasons. First, statistically, women are much less involved in crime than men. Therefore, historically little attention has been paid to female criminality; second, relatedly, there is a shortage of relevant information about women and crime in Asia; and third, language barriers may have blocked dissemination of research findings about women offenders in the region. Consequently, it is difficult to gauge the nature, trends, and patterns of female criminality in Asia, and in individual Asian countries.

*Asian Female Offenders in the Media*

Existing evidence shows that female imprisonment rates in several Asian jurisdictions are the highest in the world (see Walmsley 2012) but this by no means suggests high prevalence of female law-breaking in these countries. One obvious reason is that laws and criminal justice policies dealing with women differ in different jurisdictions, and socio-cultural dynamics and religious complexities also come into play. For example, according to a BBC report on 12 December 2014, since adultery is a crime in Pakistan, Karachi's central prison for women is where many of those accused of the wrongdoing end up. Also, the *Guardian* reported on 17 November 2007 an appeal case in Saudi Arabia, involving a female gang rape victim who was punished with 200 lashes and six months imprisonment because when the incident occurred she was not with a mahram – a breach of Sharia law. It is true that journalist information should

be treated with caution but it does help raise concerns that should be taken into account in scholarly research and the two examples here reveal deeply concerned patriarchal traditions that have been preserved against women in those Asian countries.

#### *Academic Research into Asian Female Offenders*

While academic research into female criminality in Asia is rare, there are several developments. Sexena's work on women and crime in India indicated that neglect of female criminality was "largely a reflection of the continued deterioration, social, and economic discrimination and unequal status which accrues to women in the family and society" (1994, Preface). In addition to analysing patterns of criminality, this study also explores the profile of women offenders, the vital role that sociocultural and family environment, and economic factors play in female law-breaking, and how female offenders were treated in the Indian criminal justice system. It argues a need for female law-breakers to be considered as women, not only as offenders.

Recently, Shen (2015) conducted an empirical study on female criminality in post-Mao China. It breaks new ground in scholarship of women and crime in Asia by offering original insights into the gendered pathways of women into criminal offending, and the impact of the radical socioeconomic changes on women in China's reform era. By presenting the empirical data, it highlights several relevant criminogenic factors arising from free-market reforms: monetary gain was the underlying incentive that motivated female law-breaking; female members of marginalised society are under enormous pressure and strain in everyday life; and women are still disadvantaged by gender inequality in the new era. Hence, this study views female criminality from a neoliberal standpoint and ultimately it is hoped to inform policy and practice that deals with women in the criminal justice system in China.

Keo (2013) offers a comprehensive study on human trafficking in Cambodia. It suggests that 80 percent of incarcerated female traffickers are poor and uneducated women who lack

legitimate opportunities, their illicit activities are unsophisticated, and they earn very little from law-breaking. The Cambodian case challenges the popular depiction of female human traffickers and as part of its proposal for policy change in the country, the need for more opportunities for women to survive is addressed.

Academic research has also been carried out to investigate the gendered nature of crime for women in Asia. For example, Yun, Kim and Morris (2014) examined gendered pathways into youth delinquency in South Korea. They find that while the dramatic transformation of the female role has changed the patriarchal tradition in the country women's emancipation is an incomplete process which shows a distinctive pattern including an increase in emphasising females' physical appearance. According to Lee (2012), overemphasis on female physical appearance has led to women's appearance-related stress, and female criminality in Korean society appears to be the outcome of the interplay of a variety of mental, relational, and cultural strains.

### *Concluding Notes*

“Asian female offenders” are not represented as a homogenous offender group. There are many differences among Asian female offenders in terms of nature and causes of offending, offender profile, and criminal justice treatment for women. There are also variations among women offenders within the same country. The examples here illustrate academic inquiries into women and crime in Asia. They together indicate the salience of placing female offending – crime and delinquency – into its socioeconomic and cultural contexts in which women offenders live, when seeking to make sense of it. All of these Asian countries have a patriarchal history, and all of them are undergoing the modernisation process and thus a social transition. Women are part of the radical sociocultural shifts and some – typically those of the disadvantaged social groups – may not be able to adapt to the fast changing environment, who may turn to crime.

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**Author Mini-Biography**

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