

## **Women Offenders: A Study in Sociocultural and Economic Dynamics**

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Every society is static as well as dynamic and it reveals its change through organization and disorganization. One of the aspects of change, that is, disorganization, is the causative factor for crime depending upon the personal characteristics of an individual or disorganized person. According to Durkheim crime is a natural phenomenon of society and hence no society is free from crime. According to him crime of any sort is an endemic condition of society and thus it can be explained through etiological aspects. When Crime is considered normal in society, it is believed that causative factor of crime is inherent in that society. However, it becomes difficult to identify any particular aspect as the only causative factor of crime. What is crime? It is violation of law and any such violation is immoral and sinful, and may be subject to punishment by the state. Since the concept of crime has been undergoing changes from time to time, it becomes difficult to give a precise definition of the term „crime“. However, definition of crime does imply that certain social values are entrusted to laws which are not to be violated by the members of society. The concept of crime committed is believed to be elusive, complex and multidimensional. The causal explanation of it appears to be as complex and varied as its definition. Explaining the etiology of crime, it has been suggested that a number of factors come into play in the causation of crime. The studies of Clinard, Durkheim, Kobrin etc, point out that crime and social disorganization are inter-relation and are products or consequences of urbanization. However, Durkheim (1959) later indicated that crime is not only the result of urbanization but also due to anxiety to achieve certain goals. His theory was supported by Merton (1957) who explained that crime is due to discrepancy between the legitimate goal which a society sets for its members and the legitimate means which it provides for its attaining them. Sutherland explained that deviant behaviour is learned and acquired in the process of interacting with other people and that primary groups and peer groups are influential in learning process.

To explain why some persons turn to crime and others do not, there is a theory of „relative deprivation“ explained by Feierabend et al. on the basis of socio-psychological aspects. It explained criminality due to the frustrations which drive a person to commit crime. Unlike the numerous theories explaining male criminality, researchers interested in the female offenders do not find such gamut of theories. These texts have merely referred to the female offender in a footnote or in the appendix.

In accordance with the crime amongst men, the subject of crime among women does not appear to be only an event of this century, as traditionally women were apprehended for committing offences. By and large, the transgression of values and violation of norms may be done by anyone irrespective of the sex or age differences. Nevertheless, the degree of involvement may vary as per the compulsions and related social pressures on an individual.

In India, though the traditional social patterns appear to have been exercising a considerable influence on women, yet, women were being apprehended for committing offences such as abortion, witchcraft etc and rigorous penalties were imposed on those committing heinous crimes. Traditionally, superstition was considered to be a prime factor in crimes by women. Although the influence of

superstition appears to be attenuating, yet its impact on human beings could be felt in a variety of ways including the belief of human beings in omens and superstitions, more by females than the males. These forces make the phenomenon of crime amongst women perplexing and complex, be it any sector of a society.

The scholars on this issue have generally viewed deviance amongst women broadly from two perspectives. One group perceives women who commit crimes as poor creatures, who are victims of male oppression and society's indifference and disinterest. For example, women as the victims of marital violence, rape, divorce, dowry death, suicides etc. are all blamed and held responsible for their own situation in the name of male chauvinism and male oppression, and the laws are generally seen against the interests of women.

The other group perceives women offenders as being more cunning than men; as having learned how to commit crimes that are more difficult to detect, and as enjoying the chivalry of male law enforcement officials to avoid arrest conviction and imprisonment.

These two basic themes have persisted in the literature and on the basis of available literature; we may gather information relating to beliefs, notions myths and stereotypes regarding criminality amongst women. Since these stereotypes become part of the systematic values and beliefs, the descriptions relating to male or female deviance may show conformity to the prevalent stereotypes and notions. Broadly masculinity is described in terms of its being assertive, dominant, independent, unemotional, active and logical. Femininity is usually described as emotional, gullible, submissive passive, illogical, sneaky, unambitious, dependent, gentle and child like. According to Grosser (1951) it is this inability of females to express themselves through their criminality that accounts for the varying sex ratio in crime statistics.

Haskell and Yablonsky have asserted that "Since men are expected to be aggressive, males are more likely to be delinquent than females, who are expected to adopt a more passive role". They argue that, historically, the masculine gender role has afforded males greater opportunity to get engaged in crime and simultaneously, has imposed fewer social controls on them. Some have argued that girls commit less delinquency than boys because the traditional feminine roles ensure that they are more closely controlled by their parents and others.

In keeping with these stereotypic attributes of males and females, women offenders are assumed to have different motives for crimes than men (Klein, 1973). For example, images of criminals are linked with traits historically ascribed only to men, which may result, to some extent, from the higher incidence of reported male crime and an overwhelming emphasis on the literature on male deviants. Images of criminals are also linked with carrying out of serious crimes with the help of use of weapons, physical force and violence capabilities traditionally defined as masculine. Further, traditional feminine behaviour is viewed as the antithesis of criminality. The mentally healthy woman is perceived to be one who is not crime-prone because she does not possess the necessary masculine traits. By implication, therefore it could be argued that women who get involved with crime are exhibiting masculine characteristics. Another dimension that is linked with the stereotypes of criminality is the general belief that women are very conventional and that women, like children, are not capable of criminal intention. Since the presumed inherent criminality required for serious crimes is lacking in females, it is claimed that women generally are viewed as less culpable than men in crime. Therefore, when women do appear in court, judges are likely to claim that it's man's fault, or that she got in with the wrong people.

In general, these stereotypes of the adult male and female roles in a society and the consequent expected behaviour of male and female have actually been used as the explanation for the differential rates of male and female criminality in the past

(Omodei, 1981). It has been assumed that female offenders are "more amenable and responsive to rehabilitation and reform" than male offenders (Adler, 1975: 230; Armstrong, 1977).

Consequently, "the society generally is less frightened of women offenders" (Wheeler, 1975:85) and female offenders are less often rejected by family and friends than are male offenders. In the context of these stereotypes, the interpretation of female delinquency is that it is predominantly sexual

delinquency. The analysis of female criminality in regard to this belief has its theoretical basis in the works of Lombroso and his associates. Due to these existing beliefs and stereotypes expressing female criminality almost entirely to physiological or psychological cause the criminal behaviour of women has been regarded as a neglected area and unlike her male counterpart, the female offender is rarely considered in her social context, her criminality was considered a less significant social problem, and as such there has been very little written about the female offender in sociological literature.

The interest in crime has shown variations from time to time and place to place. Initially crime amongst males was the sole concern, but, over the years, due to the modification in the social structure, the criminal tendencies amongst women have also become a source of concern to the society. And, within the past few decades, there are signs of an increasing interest in the area of female criminality. Newspapers and coverage of women in mass media are increasingly informing the public about the diverse ramifications and dimensions of women offenders. According to most observers, the role of women in crime appears to be responding to changes in roles, and as their interests, desires and definitions of self shift from a traditional to a more liberated view, there is a decrease in their law-abiding activities and they are fast becoming the participants in the criminal world. In recent years there has been proliferation of population and scientific writing on the extent to which patterns and levels of female crime have been changing. It appears that women are beginning to emulate their patterns in both forms and dimensions of criminality. And so, with the "increasing masculinization of female social and criminal behaviour", there has come an increase in the frequency and variety of their criminal activity. In the background of these developments of last three decades, it would therefore be desirable and appropriate to understand the factors, forces and dynamics of women and crime. Of the varied modes of understanding this phenomenon, studies have focused on analyzing the criminality of women with an understanding of the social role of women in society. As women's role change and become more open to opportunities and tension associated with the male role, their criminal activities will be transformed in kind and degrees. For this, it is necessary to understand the social roles of women in the changing milieu of modern world. It has been concluded by all the researches conducted by criminologists that evolution of the nature and extent of violent crime is related to social and economic conditions of a society and the changes taking place in its moral value system at a given point in time. In Indian context, an understanding of the relationship between women and criminal behaviour, therefore, would require a brief examination of women's unique economic and social position in our society.

By and large, the economic position of women depends on their location in the institution of personal survival, life-support, and emotional protection known as the family. Although women have been taking part in the economic life since long, the notion continues to exist that women's sphere of action is essentially limited by the horizons of the small family world. Her major concerns are held to be the physical and emotional well being of other family members; it is the adult women in the family situation who is defined as the one responsible for the moral development of her children and for the moral atmosphere of the home. Therefore, the roles of life and mother are by all means regarded as the central for the women.

In the social sphere, the picture that has emerged is not different. Women have been, for centuries confined to the home and were carrying out work which by a sizeable section of society was considered unskilled. It is believed that since there is no one to look after the household jobs, and to cook the meals, the women was assigned to carry out these roles and therefore, was isolated from all public activities. Confined to the four walls of the home, the bringing up of a girl is such that she receives pots, pans, dolls, etc., as toys and she is taught to imitate her mother, to learn the art of housekeeping and to prepare for marriage. Consequently, the girl is inducted into housekeeping and child care roles only. She is discouraged to show aggressive modes of behaviour and the feminine model of grace, modesty and self effacement is frequently reinforced. Since she is looked upon as the transitory member of the family as the major goal being marriage, she receives protective care particularly after attaining puberty when many prohibitions are laid down on her. By and large, she is expected to go through the roles of disciplined daughter, submissive daughter-in-law, sacrificing mother and

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dominating mother-in-law. Thus, the initial introduction gives to girls the exposure to reality of roles expected from them in the years to follow.

The nature of familial and social controls over women, for instance, domesticating roles, lack of access of education, inadequate working conditions, a low religious and cultural status, appears to have pushed them into the „deprived“ class.

In the recent decades women have been participating in various aspects of social life including academic, scientific, technical and other productive and non-productive activities. The ongoing pace of industrialization and urbanization appears to be facilitating the process of modernization in our society. It appears that these conditions have led to emergence of new concepts and patterns of life, the arena of work schedule appears to have proliferate for members, particularly in regard to the responsibility of women in the family and society. Moreover, the concept of women’s emancipation has opened new vistas for progress and development for women. As a consequence, the economic independence coupled with political status led women to feel that they are not subordinate to anyone in a society, specially the men. The newer dimensions, however, led to emergence of variety of social structural issues relating to women. Although social structural pressures may affect everyone irrespective of the age, sex, caste, religion or region of a person, yet the intensity and texture of these pressures and their concomitant influence may vary as per the personal and social attributes of an individual. Therefore women are equally exposed to social pressures arising out of the multiplicity of roles that women are expected to perform in a society.

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