

CHAPTER – 1

INTRODUCTION

"Women on the whole have better, softer qualities than men. And on the whole, they don't go as devilish as men. But when a woman becomes devilish she beats all records. No man can equal her."

Morarji Desai (1977)

The concept of crime is elusive, complex and multi dimensional. Although the transgression of values and violation of norms may be done by anyone irrespective of the sex or age differences, yet it appears that the world of crime is a man's world. Crime is increasing at a rapid rate and most of the researchers on crime have confined themselves to males, because crime has been considered a male-behaviour. In India, statistical reports on crime have always revealed men involved in greater offenses than women, who are considered to be more religious minded than their male counterparts and less prone to unethical and immoral activities.

Women who form one half of our population have always played a specific and crucial role in history and society. Women enjoyed considerable freedom and privileges in the spheres of family, religion and public life in the Vedic age. However, gradually over a period of years, the entire social structure has undergone a revolution of morals and ideals. Rapid urbanization and industrialization, new socio-economic stresses and strains, break up of the age old institution of joint family, late marriages,
free mixing of men and women, growth of films on crime and sex and widespread circulation of pornographic literature had profound effects on women generally. When all these factors coincide, the strains prove too great for some women especially those with inherently unbalanced personalities to divert them from a law-abiding life to one of crime. The changing social norms and values as well as the impact of other cultural patterns culminating in the complexity of life are largely responsible for this change.

In a different background of the problem, Caldwell (1956) observed that homes that contribute to crime and delinquency may be classified into six major types -

a) The broken home
b) The functionally inadequate home.
c) The home with a physically or psychologically abnormal parent
d) The socially, morally or culturally abnormal home
e) The criminal home
f) The economically insecure home

Elliot and Merrill (1961) found as an usual phenomenon that, most delinquent girls and women brought to the courts come from underprivileged and rather sordid home backgrounds. Most criminal girls and women are driven by frustration and conflicting desires and by their low standard under which they have been reared.

Another very important and influential institutional aspect of human behaviour is the role of economic phenomena on individuals. Women are now entering into the arena of employment and competition have also become more prone to criminality. Women were primarily apprehended for offenses such as shoplifting, domestic theft, violation of excise and prohibition laws, prostitution and infanticide, but women are now occupying positions of high status and are taking part in “white collar crimes” like cheating, criminal breach of trust, smuggling etc. Women have appeared as aiders or abettors of crime in many cases, directly or indirectly. Women are also involved in kidnapping, abduction and trafficking in women and girls. Women like men suffer from jealousy, enmity, hatred etc. which lead them to criminality. Today, women are involved in all sorts of crimes with the aid of latest techniques. Most criminologists
admit that lower class women are more subjected to police action than members of middle or upper class. Police are likely to suspect a lower class female than an upper class woman and also the lower class person has less chance to avoid the courts and legal steps than does the upper class person. According to Reckless (1967), higher crime rate among lower class persons is because they are exposed to more demoralising and disorganizing conditions of living and also they are exposed to unemployment, overcrowding, bad housing, death, accidents, disease, illiteracy and other cultural handicaps.

Multiple causes for female criminality include:

- Economic causes - financial difficulties, destitution.
- The domestic causes for committing crimes are ill treatment by the family members, neglect by the members of the family and unfaithful husband.
- Social causes are bad influence, husband instigation and psychological reasons or desire to satisfy certain psychological urges.

The social factors seem to be more important in female criminality. Thus, it can be seen that economic, social and psychological factors are responsible for making women criminals.

Section – I

NATURE OF FEMALE CRIME

Of the total crimes committed in India, about 5 percent are committed by females. While between 1971 and 1980, the average of female crime was 29300. Between 1981 and 1990, it was 64680. In 1993, of 1629 lakh crimes under the Indian Penal Code committed in the country, 95,533 crimes (i.e 3.8%) were committed by females, while of 3803 lakh crimes committed under the Local and Special Laws, 216 lakh (i.e 5.7%) were committed by females. In 1997, out of 2575827 total cognizable crimes committed in the country under IPC, 131683 crimes (5.1%) were committed by females, while 4801700 crimes committed under the Local and Special Laws, 185462 (3.9%) were committed by females (Crime in India, 1993 and 1997).
<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Crime Head</th>
<th>Female</th>
<th>Percentage to Total</th>
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<td>1</td>
<td>Murder</td>
<td>3473</td>
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<td>Rape</td>
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<td>Preparation &amp; Assembly for dacoity</td>
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<td>Other IPC Crimes</td>
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<td>Total Cognizable Crimes under IPC</td>
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Source: Crime in India - 1997
It can be seen that there has been an increase in female criminality from 1971 onwards. From 1.7 percent in 1971, female crimes under the Indian Penal Code increased to 1.9 percent in 1978, 3.1 percent in 1990, 3.5 percent in 1992, 3.8 percent in 1993, and 5.1 percent in 1997. But this increase is not so high when compared to the increase in male criminality. While incidence of crime under the Indian Penal Code among males increased by 56 percent during the period from 1968 to 1978 and by 61.4 percent during the period from 1983 to 1993, the IPC crime among females increased by 48.5 percent from 1983 to 1993. Further, the Prison Statistics published by the National Crime Records Bureau shows that, female crime is increasing fast in the recent trend.

There are more female crimes in America, England, France, Canada, Japan, Thailand, etc., in comparison to India. For example, against 8 female crimes per one lakh of population, there are 1,154 crimes in America, 561 in West Germany, 316 in Thailand, 138 in France, and 133 in Japan. Sociologically, however, female crime in India may be considered a crucial problem because of its impact on the upbringing of children and the overall fabric of society (Ahuja, 1996).

According to Hoffman – Bustamente (1973), the difference in the rate of male and female crime is basically the result of the difference in their respective roles. The basic role of wage-earning by men is performed outside the home for which they have to compete with others. In the process of competition, sometimes when they are not able to achieve their goal through legitimate means, they use illegitimate means. On the other hand, the basic role of a householder is performed by women within the four walls of home for which they have to compete with anybody and are not forced to use anti-social means for achieving their goal. Moreover, compared to men, women are more God fearing, moral, and tolerant. They are also subject to greater social restrictions. The police and the courts also take a more sympathetic attitude towards female offenders. In short, the important factors of difference in rate of male and female crime may be described as under -
• Differential sex role expectations
• Sex differences in socialization patterns and application of social control
• Differential opportunities to engage in crime
• Differential access to criminal subcultures and careers
• Sex differences built into crime categories

TYPES OF OFFENCES

Crimes are generally categorized as traditional crimes and modern crimes. The traditional crimes committed by women can be of two types, either petty or heinous. Homicide, infanticide, attempted suicide and murder fall among the heinous crimes and theft, shoplifting, cheating, hurt, quarrels, public nuisance etc are among the petty offences. The modern crimes are more often the organized type like white collar crimes, political crimes, communal and conventional types.

Murder has become more frequent among women criminals than among their counterparts. It is reported that women commit homicides and suicides in moments of emotions and jealousy and the weapon they generally use is poison. Infanticides are mostly committed by unmarried mothers, poverty-stricken or mentally weak women by suffocation or strangulation.

Prostitution is considered as an offence. They are habitual criminals and they commit other crimes like blackmailing, pick-pocketing etc. with the usual sex offence. In the past economic insecurity was the problem of women entering the trade. Today women enter this profession in order to fulfill their desire for a luxurious living.

In the past individual offences were common compared to the organized crimes of the present day. Various types of business crimes, dacoity, robbery, burglary etc. are organized crimes in which our country is witnessing the active involvement of women.

In contrast to conventional offenders who commit crimes for monetary gains or by jealousy, political offenders commit crimes for their direct or indirect political ends by engaging in activities like protest, marches, mass picketing etc. Political offenders are caught for disorderly conduct, breach of peace, trespassing or loitering. In this era...
women's involvement in this category of offences cannot be ignored. Terrorism, naxalism etc are conventional crimes among political offences and women also take participation in these types of offences. Women are occasionally found active in communal riots, arson etc.

The prevalence of white collar criminals among the professionally qualified women can be found now a days. Women's involvement in the white collar crime is found in the medical field, medicine and drug field, in legal profession, in misleading advertisements etc. Many business crimes are committed by the highly educated women in the upper socio-economic classes recently.

SOCIAL WORK PROFESSION

Social work is an emerging fast developing profession. Its focus is on the interactions between individuals and systems in the social situation (Yelaja 1979).

Individuals are dependent on systems for help in obtaining material or emotional resources and services and opportunities they require to actualize their aspirations and to help them cope with their life tasks. Principles of social work are applicable in correctional settings. Different methods of social work, like casework and groupwork are applicable in correctional institutions, probation and parole. Social work principles, based upon an understanding of the dynamics of the helping process, hold great promise for useful service in correctional settings.

CORRECTIONAL SOCIAL WORK

According to Studt (1959), "Correction is a social process by which modern society deals with officially identified lawbreakers". Thus correction is a part of social control. The correctional agency tries to rehabilitate or neutralize delinquent or criminal behaviour of adolescents and adults through corrections.

With the increasing knowledge, about the dynamics of human behaviour and how it is modified, which has become available in the 20th century, it has become possible to give attention to the rehabilitation of the offender. Hence, correction as a
social work process has been understood as the administration of the penalty in such a way that the offender is “corrected.” It means the criminal’s present behaviour is controlled and his general life adjustment modified (Sikka, 1980). So the correctional task requires both control over the behaviour of the delinquent or criminal during the period of his penalty and services designed to help him achieve socially acceptable mode of participation in the community.

According Younghusband (1978), the goal of social work in correction is reformation and rehabilitation of the offender. The social worker helps the offender to change his offending behaviour, so that he can relate constructively to others and become socially acceptable. This is done through working with the individual to help him change through better understanding of himself and by tapping his own strengths and resources and through modification of his environment to bring about a more healthy social climate in which he has to live. The worker encourages the offender to talk about his problems, to feel about them and to come to an insightful understanding of himself, accompanied by socially constructive behaviour.

According to Boehm (1959) the tasks of the social worker in corrections include four particular aspects:

1. Investigation and surveillance for the purpose of securing information about the client’s failure or success in meeting the obligations of his legal status.
2. The use of controls to modify client behaviour.
3. Acting as a legal authority in the client’s life with responsibility for value change.
4. Correctional decision making.

The correctional social workers’ most important task is to change the values and behaviour of the offenders so that they become agreeing in action with the values of the particular community. Therefore, social worker’s aim is to help the offender, not to punish him. The goal is to utilize the knowledge and skills of the profession in a corrective manner, to rehabilitate the offender, to help him to help himself, so that he can return to and become a part of his society and to lead a constructive life. Keeping
in mind about the importance of social work intervention in correctional settings, the researcher made an attempt to study the lifestyle of the women criminals in Gujarat.

Devasia et al. (1989) explained that, understanding of etiology of crime is as old as the economical, biological and psychological approaches. Macro and micro level studies have repeatedly attributed to social, cultural, economic and psychological variables in the etiology of female criminality. A female criminal can be better understood in the context of her social roles as determined by her biological differences, her personality make-up and her professional position, all of which are inter-related.

In India, only few studies worth of name have been conducted on prison life of women criminals in relation to their socio-cultural background and prisonization, how far the socio-cultural background influences a person to commit crime and the impact it has on prison life. Although the nature and pattern of pressures operating on these women in connection with their offences have been studied but further probe may throw light on various social pressures forcing women into criminality. It has been found by most of the studies like (Ahuja, 1969, 1970, Sanyal, 1974, Rani, 1983) that large number of crimes committed by these women are found to be due to their maladjustments in the families. It also needs to be analyzed as to how the adjustment process gets affected to cause criminality. The analysis of relationship pattern between different members of family also becomes important to study.

Thus, there is a great need to study women criminals because the place and role of woman in the Indian society has undergone changes during the last two decades leading to a greater participation in the criminal activities by them. Since the research on women criminals because of its fragmentary nature, scope and coverage, is still in darkness, the present study identifies, examines and explains women's criminality in the socio-cultural, economic and psychological context.

The strategy to deal with the problem of crime and the individual criminal has undergone radical changes. Earlier, no attention was paid to the human aspect of the criminal. Today, society goes beyond retribution and deterrence and includes the
reformation and rehabilitation of offenders as objectives of punishment. The objective of the modern criminal justice system is prevention of crime and treatment of offenders, which can be achieved only by re-socialization of the offender and by restoring of the women criminals to her original society as a normal law-abiding human being. The re-socialization of the offender will be possible only if scientific methods for the modification of deviant human behaviour are adopted. Professionally trained social workers can play a significant role by taking this amazing task of the behavioural modification of the women criminals. Correctional work is concerned with the re-shaping or re-moulding of human behaviour. Correctional social workers can seek to understand behaviour of the offender, help offenders in achieving more effective intellectual, social, or emotional functioning and promote more successful societal adjustment of offenders. The sole aim of prison reforms is to see that criminals, men or women, come out of prisons as better persons, physically or morally.

So, various types of social work interventions, like curative, preventive, developmental, reformative, corrective and rehabilitative process hold great promise for service in correctional settings.

SEX DIFFERENCES IN CRIME

Sex ratios of crime have suggested that there are sex differences among the patterns and types of crimes committed by males and females (Steffensmeier, 1980). Statistical studies have indicated that delinquency and crime are found to be very closely associated with the male sex. According to Sutherland and Cressey (1966), "The male sex has a great access of crimes in all nations, all communities, all age groups and all periods of history for which organized statistics are available."

Parsons (1954) offered that the principal task of women is to nurture and socialize children in the domestic sphere while men are expected to provide financial support for the entire family, performing work outside the home. Men dominate the occupational system which is the arena of the most important competitive process in which the individual must achieve his status. Women, located in the family are
dependent for their position and income on the occupational status of one member, the husband and father. Cohen (1955) contends that the sub-culture of delinquency was uniquely male in character. Females were unable to 'prove' themselves by acts such as theft or vandalism, as they represented the very antithesis of their sex-role expectations. The mentally healthy woman was perceived to be one who is not crime-prone because she does not possess the necessary masculine traits thereby implicating that women who get involved in crime exhibits masculine characteristics.

Unlike the numerous theories explaining male criminality, researchers interested in the female offender do not find such gamut of theories. These texts have merely referred to the female offender in a footnote or in the appendix or a few short paragraphs or pages, devoted to a brief summary of Lombroso and the "female emancipation" theories.

The subject of crime among women does not appear to be only an event of this century as traditionally women were arrested for committing offenses. In India, though the traditional social patterns have been exercising a considerable influence on women, yet they were arrested for offenses such as abortion, witchcraft etc. and harsh penalties were imposed on those committing these heinous crimes.

According to Saxena (1994), the scholars 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. The other group perceives women offenders as being more cunning than men, as having learnt 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, information can be gathered relating to beliefs, notions, myths etc. regarding criminality amongst women. 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 (1974) 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” 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 (Moss, 1972, Hoffman-Bustamante, 1973, Shover et al. 1980). Considering these, women offenders are assumed to have different motives for crimes than men (Klein, 1973). Images of criminals are also linked with carrying out of serious crimes with the help of the use of weapons, physical force and violence capabilities traditionally defined as masculine (Hoffman-Bustamante, 1973, Norland and Shover, 1977).

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). The analysis of female criminality in regard to this belief has its theoretical basis in the works of Lombroso and his associates, 1899, Thomas, 1907/1923, Gluecks, 1934; Freud, 1933 and Pollak - 1950.

Due to these existing beliefs and stereotypes expressing female criminality almost entirely to physiological or psychological cause (Klein, 1973), the criminal behaviour of women has been regarded as a neglected area. 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 (Mukherjee and Scutt, 1981).

Editorial (1975) reported that, initially crime amongst males was the sole concern, but over the period, due to the change in the social structure, the criminal tendencies amongst women have also become a source of concern to the society. Currently, the rapid increase in recorded female criminality and delinquency has drawn
attention to the radically changing role of women in contemporary society. It has also caused a spirited controversy as to whether the increase in crime is related to the changing role of the female. Within the past few decades, there are signs of an increasing interest in the area of female criminality. Coverage of women in mass media are increasingly informing the public about the diverse ramifications and dimensions of women offenders. It may be difficult to assess the nature and pattern of female criminality in the absence of meaningful statistics over a period of time due to problems with crime statistics which are often referred as "dark figures". There is a difference between the actual crime and the reported crime which is called the hidden criminality.

Weis (1976) takes strong exception to the view that increased female criminality is a consequence of women's liberation. He claims that such a relationship is "tenuous" at best and suggests that rather than "liberation" being the cause of increasing female criminality, it is more likely a result of what he terms "sex-role determined opportunity". Females, according to Weis, commit female-oriented crimes and the rapid growth of this type of criminality reflects the growth of opportunity to commit female-oriented crimes. Feminists objected to both the assumption that females were achieving any kind of parity with men in economic and social spheres and the stereotyping implicit in the premise that female criminals were somehow "liberated" when their behaviour patterns showed more similarity to male patterns (Pollock - Byrne, 1990).

Saxena (1994), explained that, women are beginning to emulate their patterns in both forms and dimensions of criminality. As women's role change and become more open to opportunities associated with the male role, their activities will also be transformed in kind and degree, including the frequency and variety of their criminal activities.

The last half-century has opened many pursuits, which provided the women new opportunities for crimes. Growth of interest in female law breaking has been stimulated by the women's movement, the push for sexual equality and related trends.
Simon (1975) and Adler (1975) have explained the recent increase in the incidence of female crime in terms of the breakdown of prevailing patterns of sexual inequality. According to Simon, development like women's progress toward reaching social equality with man, have stimulated not only the portrayal of new “violent” women by the media, but also a flurry of speculation among criminologists. It has been observed that, since past two decades there is an increased popularity in explaining the extent and nature of female criminal activity. However, there is no evidence at all of a vast uncharted sea of female crime, or that women are more likely to become criminal the more they are emancipated or empowered. Indeed, the most detailed and vivid recent studies of women offenders in Britain (Carlen, 1983, 1985, 1988) strongly suggest the opposite, that women’s offending is strongly associated with poverty and the stresses it brings, with neglect and deprivation and often with exploitation and abuse by men. However, because of their comparatively small numbers, which makes levels of statistical significance more difficult to obtain, there continues to be a paucity of research on women offenders as compared to the amount of research done on the male offenders.

It has been concluded, (Crime Prevention and Criminal Justice, Newsletter, 1984, U Nations) that the evolution of the nature and extent of violent crime is related to social and economic conditions of society and the changes taking place in its moral value system at a given point in time. According to Ghose (1986), in Indian context, to understand the relationship between women and criminal behaviour, there is a need to examine the women’s unique economic and social position in our society. Indian girls are taught to regard their self-prestige and the prestige of the families. Since childhood they are made to be dependent formally on their parents and is expected to go through the roles of disciplined daughter, submissive daughter-in-law, sacrificing mother and dominating mother in law. They are required to restore extreme courage and fearlessness in them to commit daring offences, which will severely be condemned by family members, relatives, friends and society. She is respected, admired and is considered that she should be duly protected. Therefore when any woman destroys
This image by committing a heinous offence, the whole society receives a severe blow. Consequently, for the female criminal it becomes extremely difficult to regain her former status and re-adjust herself easily in her family environment. Thus, the value of dependence and security in Indian women, prove the main factors in hindering them from taking any initiative or expression on any emotion unless driven by maladjustment.

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, but the notion continues to exist that women's sphere of action is limited by the horizons of the small family world. Her major concerns are to look into the physical and emotional well-being of other family members.

According to Rao (1981), due to changes in the social and economic position of women, sexual emancipation, changes in sex role patterns and alterations in economic opportunities for women have led to increased criminology on their part, largely due to availability of increased crime opportunities. This has led to develop an interesting debate over the relationship between female criminality and the women's liberation movement. 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. Crimes committed by men still far outnumber crimes committed by women, but some researchers note that the female crime rate in some categories is increasing faster than that of men. Adler (1975), Austin (1982) and Price (1977) suggest that this increased rate can be attributed to changes in gender roles promoted by the women's movement and the consequent increased opportunities for women to engage in crime.

"Liberation" or "emancipation" theories contend that the movement has made women more aggressive, competitive and like men. In addition, the outgoing 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 (Saxena, 1944).

The historical development of research approaches toward the etiology of female crimes and the characteristics of female offenders is traced through the correctional literature of the last century. The changes of theories and focus of research are related to the changes in general attitudes toward women over this period. The current status of the literature indicates that the female offender is changing along with the role of women in society. Criminological knowledge of the female offender is incomplete in many areas and increasingly obsolete. Those studies based on male populations are of untested validity for women. The vast bulk of criminological research has concerned itself with male offenders and male correctional institutions or treatment programs with male participants.

Although the literature on female offenders has been comparatively limited, studies have been done and in fact, the development of the study of female offenders reflects the larger development of the criminal behaviour in general. That is, the study of female criminality, when traced historically, can be seen to mirror the phases through which the general study of criminology has passed.

A look at these phases reveals that the study, crime and criminals, including females, has gone through at least five major stages of development, each characterized by a particular type of focus (Rasche, 1974).

These stages are also discussed in the writings of Brodsky (1975) and Srivastava (1989). In this chapter, an attempt has been made to discuss traditional and modern perspectives of women criminality.

STAGES IN THE CRIMINOLOGICAL STUDY OF FEMALE OFFENDER

The first stage which was called the pre-scientific stage, continued up to the start of the twentieth century. The few things written about female criminality in this stage concentrated on environmental causes, that did not seriously consider women as criminals and there by worthy of any specific study or research. The later
criminologists regarded this stage as the beginning of the theorizing attempt. They could not discover much material that could make any significant contribution to criminological theory on female criminality. The pre-scientific stage of criminology resulted in the development and growth of the penitentiary system in early nineteenth century America. The penitentiary was the product of the development of a casual theory of crime which pinpointed a corrupt environment and negligent upbringing as the causes of criminal behaviour.

The second stage of criminological research, involved the search for constitutional causes, which reflected a beginning interest in the criminal as an individual and was greatly influenced by views of Lombroso and Ferero. This stage was composed of studies that looked at physiological and psychological factors related to female criminality. Lombroso was not alone in his search for physiologically constitutional characteristics of female criminals. Most notably, Matthews in 1923, Burt in 1925 and Seagrace in 1926 all studied female offenders from the point of view of physical size, and development, sexual development, illness and disease, but few really outstanding casual relationships were ever uncovered (Smith, 1962).

Meanwhile, other constitutionally oriented researchers were studying the mental attributes of female offenders in efforts to connect delinquency with mental abnormal or disease. Weidensall (1916), found that the criminal woman tended to be slow to comprehend instructions and thus tended to act “blindly without comprehension”, instead of stopping to think matters through. A large proportion of the female criminals confined in institutions were mentally deficient was supported by Spaulding in 1923 and the Gluecks in 1939. Fernald in 1920, found two influences which seemed to be related to female delinquency:

1. Poor economic background and lack of education or training.
2. A somewhat inferior mentality.

Fernald clearly asserted a multicasual approach to crime and by the 1930s, the study of female criminals had firmly entered its third stage.
The third stage which occurred in 1930s, combined constitutional causes with environmental factors. One of the most overly-discussed environmental factors in non-scientific circles was that of sexual emancipation. In 1931, Cecil Bishop felt that the emancipation movement had resulted in:

- More women becoming "criminally-minded"
- A "better class woman" turning criminal more often
- Women being involved in sexual misdemeanors at a younger age than ever before

This involuntary involvement in criminal behaviour was especially aggravating. Bishop believed, at a time when women seemed more pressed by economic or family conditions to turn to crime or become victims of white slavers and others who forced them into criminal behaviour, Bishop's treatise was essentially non-scientific, but it reflects well the temper of the times regarding female criminality. Another most interesting studies to come from this period, was that of the Dutch lawyer, Eugnia Lekkerkerker, who visited the United States in the late 1920s to study female reformatories. Although sophisticated, extensive and insightful, Lekkerkerker's work received less attention compared to a study by Sheldon and Eleanore Glueck (1934). The Gluecks clearly advanced the multicausal and empirical approaches in criminology. Studying almost 500 convicted women, following them up for years after their release, the Gluecks came to the conclusion that mental inferiority, economic hardship, lack of education and familial instability all played a part in setting the stage for a woman to behave criminally.

Having established the approach to crime causation as multicausal, criminological researchers began inspecting more closely various aspects or factors of female criminality and thus, during the 1940s the study of women's criminality entered its fourth stage, which might be called the numbers and offenses stage (Statistical Stage), with good deal of attention to numbers of offenses of women. In this stage, studies were devoted to reporting and analyzing the types of crimes committed by women, as well as to attempts to explain why significantly fewer women were criminally adjudicated. The numbers and types stage ultimately culminated in 1950 with the
publication of "The Criminality Of Women" by Pollak, one of the most significant works on female criminality to date.

It was unavoidable that new insight into the relationship between the women’s social position and her criminality should lead researchers in the 1960s to question the social system of females in reformatories and prisons. The progression to this study marks the entry into the fifth stage of the study of female criminality, which is called as the women’s prison stage which existed until recently.

The explanation of female criminality is divided by Srivastava (1989) and Saxena (1994) in two broad categories:

- Classical Theories
- Contemporary Theories

Nagla (1982) traces the trend of theories dealing with women’s criminality in their historical perspective in general and the traditional theory in particular. Furthermore, he analyzed the issue by emphasizing the roles of women and the changing form of criminality. Classical literature on women and crime, dating back to the late nineteenth and early twentieth century, some of the most significant and distinctive studies have been done by pioneers like Lombroso and Ferero (1989), Thomas (1923), Freud (1933), Davis (1961) and Pollak (1950, 1959) who emphasized on constitutional factors as related to female’s criminality. Other influential writers in search for physiological and constitutional characteristics of female criminals were Mabel Fernald (1920) and Spaulding (1923). The contemporary theory revolves around such writings of Merton (1949), Durkheim (1951), Pollak (1981) and Radical theory of Quinney (1977) etc. The contemporary theorists reject earlier theories rooted in the physiological and psychological explanations of crime causation. In recent years it is the socio-economic and environmental factors which have been given importance in explaining women's criminality. They are mainly, strain theory, learning theory, masculinity theory, control theory, labeling theory, role theory etc.
STYLE OF LIFE

Distinctive aspects of a style of life are cultural, but some are due to the situation in which the members typically find themselves. According to well known sociologist Johnson (1966), the term “Style Of Life” must be understood in a comprehensive sense. He further said that, the style of life might be more or less distinctive with respect to all the following points:

- Prenatal care
- Amount and kind of facial and body decoration
- Characteristic standards of personal grooming
- Posture, gestures and general physical bearing
- Speech patterns
- Kinds and quality of clothing
- Type of residence and its location in the community
- Items of house furnishing and their style
- Type of occupation for men and women
- Amount and kind of education and the schools at which it is obtained.
- Patterns of family life, including husband-wife relations and the training of children
- Religious beliefs, membership, amount and kind of participation
- Taste in reading, radio programs and other modes of communication
- Recreational patterns
- Participation in formal organizations, contribution of money and services to civic enterprises.
- Political affiliation and opinions
- Standards of sexual morality and of interpersonal conduct in general and funeral customs

The sweep of this incomplete list shows that the term “Style Of Life” is not inappropriate. Style of life also include social class and sub-culture. Prison culture can be of a particular sub-culture. The conception of distinct groups is accompanied by the conception of sub-cultures.
Life style is the overall pattern of living, whereby an individual attempts to meet his or her biological, social and emotional needs. A life style provides the context in which the individual confronts the crisis of intimacy versus isolation described by Eric Erikson (Newman and Newman, 1975).

The personality theory of Adler (1929, 1931) describes the "Style Of Life" as the system principle by which the individual personality functions, it is the whole that commands the parts and explains the uniqueness of the person. He further explains that every person has the same goal, that of attaining superiority. But there are innumerable ways of striving for this goal. Every one has a style of life, but no two people develop the same style. One person tries to become superior through developing the intellect, while another bends all of his or her efforts to achieving muscular perfection. The intellectual has one style of life, the athlete another. Everything is done with an eye to the ultimate goal of achieving superiority. All of a person's behaviour springs from his or her style of life. The person perceives, learns and retains what fits the style of life and ignores everything else.

The style of life is formed very early in childhood, by the age of four or five and from the on experiences are assimilated and utilized according to this unique style of life. His attitudes, feelings, become fixed and mechanized at an early age and it is practically impossible for the style of life to change thereafter. The person may acquire new ways of expressing his unique style of life, but these are merely concrete and particular instances of the same basic style that was found at an early age.

Adler said that the style of life is largely determined by the specific inferiorities either fancied or real, that the person has. The style of life is a compensation for a particular inferiority. Adler, instead of seeing persons as specially to be understood through their intra-psychic conflicts, he asserted that the individual who is an irreducible whole could be known through his social goals and his relationships to other people, especially with his family. These taken together distinguish his particular "Style Of Life" and this, rather than sexuality, betrays his basic motivation.
Theorists who approach the problems of therapy from this direction have summarized that the roots of a person's difficulties lie in his basic misconceptions about the nature of things, mistakes ideas he acquired at some former period of his life. He is likely to be quite unaware of these cognitive structures. The conclusions to which they lead him are axioms, taken for granted. Adler discussed the effects of this phenomenon, under the term, life style.

The present research being concerned with the life style of women criminals, has been studied under different dimensions namely, the socio-cultural, economic and psychological dimensions. To understand the concept of life style, an effort has been made to cover socialization processes, interpersonal relations, the presence/absence of parents, relations with siblings, husband-wife relationships, daughter-in-law/mother-in-law relationships etc. Life is such a process, which essentially maintains a functional continuity between the present and the past. In the present study retrospection on the part of the respondent of the home climate and other processes during their life, that is, prior to their marriage was taken into consideration. An attempt has also been made to analyze how the conflicting situations and maladjustment in the lives of these women after marriage had motivated them to take to various forms of criminal behaviour.

After introducing research problems, it would be quite meaningful to give details of various criminological theories, frameworks, perspectives, and approaches, which play an important role in guiding various researches.

Section 2
THEORIZING ABOUT FEMALE CRIME

Various theories about crime have been propounded from time to time but only a few among them have dealt with female criminality. Theories of female criminality have ranged from biological to psychological, from economic to social. Crime causation theories have a direct influence on the correctional treatment of female criminals. The historical neglect of the female criminal meant a neglect of causation theory. This is perhaps due to the fact that female criminals constituted a small
percentage of the total crime or an insignificant subset of male research populations, or they were generally viewed as an "embarrassment than a threat to society" (Mannheim, 1965)

Here, the researcher will explain the growth of theories and conceptual frameworks for studying women criminality

EARLY THEORIES - GLOBAL CONTEXT

CESARE LOMBROSO (1903)

Cesare Lombroso, a nineteenth century (1836-1909) physician-scientist and professor of psychiatry and anthropology at the University of Turin, is primarily important in the historical context. His theories are no longer taken seriously because they cannot be supported scientifically, but he should be respected for making pioneering though primitive efforts, to understand the criminal man and woman.

The core of Lombroso's belief was that crime is an atavism (a throwback to a more primitive level of humanity's evolutionary development). According to this theory, crime can be inherited and the criminal usually has certain anomalies (physical differences from the norm) that will identify that person as a criminal. Among the anomalies characterizing male criminals, according to Lombroso, were sloping forehead, receding chin, excessive body hair, insensitivity to pain, a protruding supraorbital ridge (the ridge above the eyes) and lobeless ears. However, Lombroso said, women do not have these anomalies as often as male criminals. In fact, they were not physically very different from "moral" women, except for prostitutes who did show more physical abnormalities than the non-prostitute female criminal. Lombroso sought physiological characteristic and followed a school of thought (Positive School Of Criminology), which involved taking elaborate cranial measurements. However, after a lot of painstaking and detailed work, Lombroso was forced to conclude that the concept of the "born criminal" which he developed by studying male offenders was rare among women. But he went on to try to explain this finding by asserting that women were innately inferior to men morally. Thus, most women were "occasional
offenders”, whose latent criminal tendencies would surface when normal constraints were missing. However, when a woman did fall into the category of “born criminal”, Lombroso asserted that she was “more terrible than the male”, because of her innate depravity, her insensitivity to pain “which breeds lack of compassion” and her childish qualities, that is, jealousy, cruelty, revengefulness and moral deficiency. The normal female could be transformed into a “born criminal”, whose propensities for evil were “more intense and more perverse” than those of male born criminals. Lombroso stated that the born female criminal was rare, but he was savage in his description of her and used an Italian proverb to make his point “Rarely is a woman wicked, but when she is, she surpasses the man”. This belief was not unique with Lombroso. He was supported by others like Corrado Celto who quoted “No possible punishments can deter women from heaping up crime upon crime. Their perversity of mind is more fertile in new crimes than the imagination of a judge in new punishments.” While Euripides is summoned to declare, “The violence of the ocean waves or of devouring flames is terrible. Terrible is poverty, but woman is more terrible than all else”. Lombroso listed the following factors to demonstrate his view of how the female criminal differed from her male counterpart:

1. The female’s psychology is more dependent upon her biological constitutions than is the male’s
2. Women are organically conservative
3. A less active cerebral cortex (part of the brain associated with thought processes) makes the female more likely to become prostitutes than to turn to other types of crime
4. Women are influenced by selectivity, that is, men seek handsome women for mating and biological rejection is therefore a factor in the development of female criminality
5. Women are more often led into crime by heightened suggestibility and temptation and are therefore less morally deficient than men criminals.
6. The role of women places them in the home, where they are unlikely to become criminal.

Lombroso was close to some truths about the female criminal in his findings, but the differing psychology and the role of the woman are factors influencing her criminal behaviour, which are not biological traits. Only psychology and sociology can offer meaningful explanations of these aspects of behaviour.

**KINGSLEY DAVIS (1937)**

Kingsley Davis presented a functionalist explanation of one specific type of crime by women called prostitution as an illegitimate extension of the female sex role. He argued that prostitution arises in circumstances where demands for sexual novelty cannot be supplied within the marriage and/or where some men are cut off from access to being sex partners because they are unmarried, ugly or deformed in some respects. Commercial prostitution arises as a black market in sex. The problem with this theory, according to Klein and Simon, is that it lends support to the sexist thesis, that the only proper role for women is that of child bearer and housewife, because according to Davis, the deviant women merely adjust to their feminine role in an illegitimate fashion. Davis saw women, who choose prostitution as maladjusted and neurotic. Unlike Lombroso and Freud, Davis did not suggest that women behave like "rebels" or "men", but referred to the psychological masculinization of female behaviour.

**SIGMUND FREUD (1931, 1933)**

Freud offered a physiological explanation of female criminality, holding that law breaking of females represents a perversion of, or rebellion against, the biologically natural female role. Freud interpreted crime among women, career aspirations on their part and kindred activities as evidence of a "masculinity complex." He maintained that all females experience some degree of "penis envy" and jealousy of males, but "normal" women ultimately manage to accept and internalize societal definitions of
femininity centered about a single-minded interest in motherhood. "Normal" woman also come to exhibit "normal" feminine traits of passivity, masochism and narcissism. In all of this, Freud engaged in implicit condemnation of all departures from cultural stereotypes of the proper role of women, holding that it was "natural" for females to behave according to these narrow expectations.

Freudian theory claims that women who are not passive, who are not content with their roles as mothers and wives, are maladjusted. The source of their maladjustment is penis envy. Evidence for the existence of the masculinity complex is manifest by the woman's pursuit of masculine goals—success and recognition in the occupational sphere, power and money. Devious ways of compensating for the lack of a penis are attending universities, pursuing an autonomous or independent course of life, or joining feminist movements. Freud labeled women who engaged in such behavior "immature, incomplete, or cases of arrested development."

Critics of Freudian interpretations of female crime have scored them on two related counts. First, these arguments are defective as explanations of the genesis of female criminality, for they contain erroneous assumptions about biological characteristics of women and they also fail to take cognizance of social-structural factors in criminal etiology. Klein and others charge that these views are sexist in character, for they support and reinforce those social arrangements which relegate women to child bearing and domestic worker roles.

Freud along with Dollard (1939) also gave the theory on Frustration-Aggression which explained that frustration produces aggression and aggression results from frustration. However, the manner in which it is expressed and the object at which it is directed, will depend on controls—both internal and external to personality—operating at the time of crime.

W.I. THOMAS (1923, 1937, 1967)

Thomas offered an explanation for delinquency on the part of young females which characterized them as engaging in departures from lines of conduct that are
biologically and psychologically "normal" for women. He felt that women criminals are not sex role abnormals. They engage in role expressive and role supportive criminal behaviour, such as sexual conduct, shoplifting and other types of delinquent behaviour, which are extensions of their female role. Thomas described the female as a passive opposite to the active male. All humans sought excitement and response, but women sought excitement and response through sexual means - that is, prostitution. Thomas like other researchers, who looked at female criminals, defined women's criminality solely in terms of sexuality.

Thomas also gave the Theory of Four Wishes, that is, response, recognition, security and new experience, which would help in understanding the nature of crime.

OTTO POLLAK (1950)

Pollak, a modern American sociologist challenged basic assumptions concerning the extent and quality of women's involvement in criminal behaviour. He argued that women have been commended and praised for their drastic under-representation in criminal activities but, in fact, they do not deserve such praise. According to Pollak, women's participation in crime has not been significantly lower than that of men's, rather -

- The types of crimes women commit are less likely to be detected.
- Even when detected, they are less likely to be reported, for example, shoplifting, domestic theft and theft by prostitutes.
- Even when crimes are reported, women still have a much better chance than do men of avoiding arrest or conviction because of the lenient double standard employed by law enforcement officials which is favourable to women.

Keeping the "masked" character of female crime, Pollak advanced the theory of "hidden" female criminality to account for their substantially lower official statistics which according to him is a function of women's roles in society, the psychological components of femaleness and certain physical factors. He claimed that women engage in hidden crimes like abortions, murder by poisoning, offenses against children.
etc because of their greater skill at deceit and cunning behaviour acquired through sexual socialization. Besides, the surreptitious and cunning nature of women acquired through differential socialization process. Pollak also suggested that biological factors including lesser physical strength, as well as psychological concomitants of menstruation, pregnancy, menopause etc enter the etiology of female crime.

The shared proposition of all these four scholars is that female crime is the result of physiological or psychological characteristics of individuals. They have not given any importance to socio-cultural factors, but have viewed the biological characteristics as pathological distortions or departures from the normal inherent nature of women. The assumptions in all these explanations about the biological and psychological traits of “normal” and criminal women are questionable. Rita James Simon (1975) has also contended that all the above explanations are incorrect because they contain erroneous presuppositions about normal traits of women. Females were considered as biologically predisposed toward passivity and other “ladylike” characteristics, such that aggressiveness was viewed as a violation of their true nature. Yet, all these works, in some form or the other, exert an influence on the contemporary understanding of female crime.

CONTEMPORARY THEORIES

GISEILA KONOPKA (1966)

Konopka’s study on “The Adolescent Girls In Conflict”, is that the girls are driven to delinquency by an emotional problem, that is, loneliness and dependency. Thus she emphasized on female emotions as cause for delinquency in girls. Konopka’s assertion about female personalism, emotionalism and above all sexuality is familiar with the characteristics already described by Thomas. She states that, “thwarted ambition” has a strong impact on the way girls behave, but for the girl, unlike the boy, it is not related to economics, but it is directly related to being a woman, that is, a “normal” well-adjusted girl by definition cannot become delinquent. Smart (1976)
criticized Konopka for ignoring social and economic factors and stressing more on the individual problems as characteristics of delinquency.

JOHN COWIE, VALERIE COWIE & SLATER ELIOT (1968)

Cowie et al. discussed the biological basis of the masculinization of female behaviour. They like Lombroso and Ferreor's approach, proposed that criminality is a sign of pathology and female delinquents show masculine traits. The main perspective was that the biological difference between the sexes is significant cause in determining the difference in the nature of crimes committed by men and women. Bearing strong resemblance to the works of Lombroso and Ferrero, Cowie et al. thus saw female criminality in terms of biological constitution of the female sex, such as excessive weight or other physical problems.

CLYDE VEDDER & DORA SOMERVILLE (1970)

The views of Vedder and Somerville regarding female delinquency were similar to those of Konopka and Freud. They viewed delinquency as blocked access or maladjustment to the normal feminine role. Ignoring the social and economic factors, they attributed the high rates of delinquency to the lack of sexual opportunities for women. Like Konopka to a great extent and like Thomas to some extent, Vedder and Somerville maintained that female delinquents are those who extend femininity in illegitimate fashion.

Thus it shows that the contemporary works were on the etiology of female crime which stresses the patterns of differential sexual socialization, differential sex role expectations etc. Emphasizing sociological factors of crime causation, contemporary writers criticized earlier theories for offering physiological and psychological explanations as causal factors.

The scholarly studies of the early 1970s marked the impact of feminism on criminology. There was an explicit awareness of the role of social structure in female patterns of crime and social influences were seen as dominant rather than the biological.
ones. The sexist images of women and stereotypical notions about their deceptiveness, greedy and untrustworthiness were discredited. It was firmly believed that women are neither purer nor more manipulative than men, but they are very simple creatures of their social system.

In the 1970s several reviews of early theories criticized misconceptions and stereotypes. Smart (1977), Crites (1976) and Klein (1973) were among those who criticized the early theories. Their reviews pointed out the flaws in attributing socialized differences to biological factors, identified methodological inconsistencies and criticized formal treatment of women by the criminal justice system as discriminatory.

FREDA ADLER (1975)

Adler has explained the recent increase in the incidence of female crime in terms of the breakdown of prevailing patterns of "sexual inequality". According to Adler, a growing trend towards female assertiveness, manifested in the contemporary women's movement in the United States as well as in other ways, has led to consequences in the area of criminality. She held that along with the masculinization of female crime, there has been an increase in the frequency and nature of female crime. She recognized equality between sexes, the emancipation of women and the women's liberation movement linked to changes in the rate and pattern of female criminality. Women's socio-economic emancipation, had an important impact in the area of female criminality. She felt that, women are moving out of traditional crimes such as prostitution and shoplifting into grand larceny, embezzlement, robbery and crimes of violence, such that their participation in these offences has increased much more markedly than has men's in recent years. Adler studied prostitution, drug addiction and juvenile delinquency among females. She has attributed these crimes to the liberation movement of women and women's assertiveness. She contends that educated girls and women are more willing than ever to challenge traditional restrictions and social roles. The easing of restraints on women is further likely to
increase female crime. Thus, Adler argues, that the female offender is in fact a product of a "raised consciousness" founded on feminist ideology.

**RITA JAMES SIMON (1975)**

Simon has also explained the recent increase in the incidence of female crime in terms of the breakdown of prevailing patterns of sexual inequality. According to Simon, increased labour-force participation of women and other developments in the direction of sexual equality have expanded the crime opportunities and pressures towards law-breaking among women. Simon analysed various dimensions of female criminality like extent and types of crimes committed and their treatment by court and prison officials. She, however, did not study the issue of etiology of female crime. According to her, increase in female crime is due to expanding occupational opportunities for women.

Although unwilling to deny possibility "that the women's movement will significantly alter the behaviour, the perceptions, the beliefs and the life styles of women already involved in criminal careers", Simon feels that this newfound freedom might alleviate frustration and could lead in turn to a reduction in violent crime by women, which is contrary to Adler. As Adler implies, that there is a rather direct link between the emancipation of women and their increased criminality. Other writers, like Crites (1976), Klein and Kress (1976), also expressed female criminal behaviour as an illegitimate expression of legitimate female sex role expectations and lack of opportunities.

**HASKELL AND YABLONSKY (1978)**

They have advanced some reasons for the lower female arrest rate and for the apparently lower female participation in crime -

- Female roles are more closely defined
- Females are more closely supervised
- Females receive greater protection
• Females have opportunity for household employment
• Male roles are more active
• Men are likely to be chivalrous
• The public perceives men and women differently
• The police react differently to men and women

MAWBY (1980)

Mawby has given five explanations which relate female offending to the social roles of females in society

1 Expectation of appropriate behaviour
2 Social Control.
3 Opportunity.
4 Career Models
5 Attitudes.

The fine issues are however, somewhat speculative

As in the recent years more importance is given to the socio-economic and environmental factors, the researcher will highlight these factors to explain women criminality. A review of the major theories in criminology, such as the Chicago School, differential association, strain theory and subcultural deviance, will show that they either do not help explain or are inconsistent about female criminality (Leonard, 1982, Morris, 1987, Naffine, 1987).

Most of these traditional theories not only did not attempt to explain this differential but totally ignored female criminals. Often only males were used in samples and the language describing causation referred only to male development, male values and male motivations. Feminist criminologists have provided excellent and comprehensive critiques of these theories (Leonard, 1982, Morris, 1987, Heidensohn, 1985)

However, some of these general theories are explained here -
STRAIN THEORY:

The essence of strain theory is that, criminality is caused by pressure or tension. The source of this tension is stimulated aspirations to achieve certain goals blocked with obstacles to their legitimate achievement. Frustrated individuals turn to crime either to release this tension or to achieve their goals via illegitimate avenues.

The progenitor of strain theory is the American Sociologist Robert Merton (1949), who borrowed ideas from the French sociologist Emile Durkheim (1951). Durkheim in fact had restructured the term from the Greek word meaning "without law." Although under the sway of Durkheim's thinking, Merton used the word "anomie" in a quite different sense. To Merton, Anomie was not a state of normlessness, which precipitated anti-social behaviour, but the condition experienced by individuals taught to want the goals of their culture but denied access to them.

It was another American social scientist who took up Merton's idea of "strain" explicitly to explain the different patterns of male and female crime, in particular the crimes of youth. Albert Cohen (1955) interpreted strain as the main catalyst to the formation of delinquent gangs by male working-class American youth. Although Cohen unintentionally extends his theory by proposing that when their aspirations for status are frustrated in the middle class milieu, lower-class boys tend to set up a delinquent sub-culture, whereas Cloward and Ohlin (1960) intentionally extend Merton’s theory by suggesting that whether the potentially delinquent lower-class youth will actually become delinquent, depends on the factor of differential illegitimate opportunity.

Ruth Morris (1964 / 1983) accepted the ideas of Cohen and Cloward and Ohlin in the mid-1960s when she shifted the focus of strain theory to the delinquent girls. Morris hypothesized that "obstacles to economic power status are more likely to lead to delinquency in boys, while obstacles to maintaining positive affective relationships are more likely to lead to delinquency in girls."
Anomie theory has been criticized for lacking empirical support, for ignoring value pluralism and for slighting the fun of delinquency. But the theory has been praised for replacing the psychological with the sociological approach to deviance and for offering a valid premise concerning the aspiration-opportunity gap.

LEARNING THEORY

The idea that criminality is a learned behavior goes back to 1939 when Edwin Sutherland introduced the theory of Differential Association Theory in Principles of Criminology. The theory states that a person will become criminal if he or she associates more with criminal than with anti-criminal people and ideas. The application of his theory to women is particularly helpful in emphasizing that criminal behavior is learned in interaction with other persons in a process of communication and is not psychologically or biologically determined.

Thus, Sutherland (1960) emphasized on sociological factors which cause the female criminality, explaining individual's crime in terms of her past experiences rather than situations. Over a number of revisions of his text in collaboration with Donald Cressey, Sutherland crystallized his theory of differential association in 1966.

The first explicit application of differential association to females was by Ruth Moms in her effort to explain female conformity. She hypothesized that there is a relative absence of a deviant sub-culture for female delinquents and absence of sub-cultural as well as cultural support for female delinquency (Moms, 1964).

Glasser (1956) extends "differential association" theory by suggesting that "differential identification" is the determining factor for turning the differential association into criminal action, while Burgess and Akers (1966) identify that determining factor as "differential reinforcement".

Sutherland's theory has been criticized for its failure to explain the behavior of lone criminals, for offering an empirically vague concept and a tautological explanation and for wrongly assuming the learning of special skills as necessary for committing crime and delinquency. But the theory has inspired substantial empirical research.
has also pointed out that Glasser's theory has received some but not conclusive empirical support, while the Burgess - Akers theory can explain repeated but not initial deviance.

CONTROL THEORY

Control theory reasons that what causes conformity is control and therefore the lack of control causes deviance. There is a group of control theorists of three sociologists, Walter Reckless, Ivan Nye and Travis Hirschi. Reckless (1973) refers to the casual factor of conformity as containment, Nye (1958) social control and Hirschi (1969) bond to society.

This theory has been well supported by empirical data, but it is applicable to unsophisticated delinquent behaviour only. This theory seems unable to explain more sophisticated adult deviant behaviour, aside from presenting an over-simplified view of social control. Control theory differs from both the anomie and differential association theorists, who approach the problem of explaining deviant behaviour by asking: “What causes deviance”? But control theorists approach the problem in a round about way and ask: “What causes conformity”? They will automatically find out what causes deviance. As causes for deviance is simply because of absence of what causes conformity. Although control theory differs from Anomie theory, Hirschi prefaces his theory with an excerpt from Durkheim’s Suicide. Considered as a whole, the literature applying control theory to woman is inconclusive. Ever since Hindelang (1973) discovered that the presence or absence of social bonds bore a weaker relation to female delinquency than to male delinquency. However, control theory would predict that girls who are most like boys (masculine girls) would offend as much as boys because of a similarity of strength of social bonds, which should be weaker than those of more feminine, more conforming girls (Naffine, 1987).
LABELING THEORY

Labeling theory can be traced back from Husserl (1859 - 1938) and his philosophy of phenomenology, within criminological circles. The idea that external social stigmata or “labels” make “the criminal”, is usually attributed to the American social scientist, Howard Becker. According to labeling theory, superordinate people apply the deviant label to subordinate people, being labeled deviant produces unfavourable consequences for the individual so labeled and labeling as deviant, generates favourable consequences for the individuals, groups or communities that do the labeling. But labeling theory has been criticized by some sociologists for being unable to tell us the causes of deviant behaviour and for over simplifying and exaggerating the influence of labeling on the development of a deviant career.

When labeling theory was applied to women, two approaches were applied by criminologists. One was to employ the sort of close observation used by Becker on his male musicians to develop accounts of the interior lives of women. The other was to adopt Becker’s attitude to women, to depict them as clinging to conventional society-inert, colourless and unattractive. In 1977, Harria theorized the greater conformity of females in terms of their manipulation by powerful men who convince them that crime is a wholly inappropriate activity for women. Although not explicit in her debt to labeling theory, Fox (1977), presents another interpretation of female conformity employing the idea that women are controlled by social constructs of appropriate feminine behaviour.

ROLE THEORY

Role Theory only explains the differential rates of male and female criminality. The Role Theorists highlight the way in which opportunity structures predispose males rather than females to crime. Some of the criminologists have used Role Theory in explaining female crime in terms of sex roles, other than biological or psychological variables.
Frances Heidensohn (1968) was the first criminologist to clearly voice the need for a theory of female criminality which was sensitive to the impact of the female sex role on the behaviour of women.

According to Marie Andree Bertrand (1969), sex typed behaviour does not come "naturally", rather, culture manipulates its members to produce sex typed behaviour. Moreover, he implies that society has a vested interest in precipitating and maintaining such sex differentiated behaviour and society does not want women trained or practiced in such matters. Thus for the first time female criminality was depicted as a rational response to social experience and a beginning of a critical analysis of the relationship between sex roles and the behaviour of women.

Heidensohn and Bertrand both pointed out that owing to close supervision and social restrictions on women, socialization, development of consciousness and self-perception vary considerably between boys and girls. Girls are usually trained to be passive, domesticated and non-violent and are not allowed to learn how to fight or use weapons. Contrary to this, boys are aggressive, ambitious and outward-going. Girls thus shrink from violence and do not possess the necessary technical ability or strength to engage in crimes of violence, armed robberies, gang fights, etc. At worst, they engage in petty or domestic offences. Heidensohn thus paved the way for a radical revision of theory on the female offender. Heidensohn's call for a more sophisticated "role theory" was at a time, when the women's movement was gathering momentum. Role theory emerged at a time when both sociology and criminology were concerned with the individual's adjustment to society's needs, while the women's movement, from which role theory was later to take its direction, developed with the understanding that social roles, rather than individuals, should be fluid.

Dale Hoffman-Bustamante (1973) provided a more sophisticated theory of female criminality that takes into account socialization factors and opportunity theory. According to her theory, five major factors affect the differential involvement of females in crime.
Differential role expectations for men and women

Sex differences in socialization patterns and application of social control

Structurally determined differences in opportunity to commit particular offences

Differential access or pressure toward criminally oriented subcultures and careers

Sex differences built into crime categories

Her explanation points to the different childhood experiences of boys and girls. Whereas males are allowed a great deal of free time and are exposed during their wanderings to various opportunities for delinquency, females tend to have greater responsibilities at home. They are more controlled by social rules to be "ladylike" and reserved.

Other theorists of the 1950s like Talcott Parsons (1949), Grosser (1951) and Cohen (1955) also opined the role theories and analyzed the female offender in terms of her social situation. Theories were by and large dependent on the simple division of sex differences. Talcott Parsons held that the low incidence of female crime was due to the ready availability of a female adult (since mother normally stayed at home) upon which the female child modeled her behavior. The male child, however, frustrated by the lack of role model (father at work) and as a protest against the femininity of the mother, engaged in delinquent behavior. Grosser presented a more detailed exposition on role theory. He maintained that while juvenile delinquency is role "expressive" (of masculinity) or "supportive" for males, it is inconsistent with stereotyped notions of femininity. It is this inability of females to "express" themselves through their criminality that accounted for the high disparity in the sex ratio in crime statistics. Cohen contended that the subculture of delinquency which presented a solution to the status problems of adolescents was uniquely male in character. Females were unable to "prove" themselves by acts such as theft or vandalism as they represented the very antithesis of their sex role expectations.

Carol Smart (1976) and Jocelynne Scutt (1976) attempted in 1976 to update the Role Theory by incorporating within the role of school, peer group and occupational group, besides family, as socializing agents. But both of them had strong
reservations about the value of Role Theory as an explanation for female criminality. The major criticism of Role Theory came from Smart, who in her critical assessment contended that, "role theory fails to examine the social origins of sex roles and to deal with the inferior status of women in historical and cultural terms. Her work was exceptional in the field of women and crime since it introduced a new direction in criminology and sociology of deviance by investigating female crime from a committed feminist position. Exploring classical and contemporary studies she found and criticized that in both the studies, sexist assumptions about female criminality were frequently described. Critically examining the works of Lombroso and Pollak, who dealt particularly with female crime, Smart contended that it is necessary to explore the ways in which women are sexually exploited. She connected such exploitation with their economic and political dependency.

Scutt focused on Parson's interpretation of role theory, where boys unable to envisage their father's role, but encouraged to be "manly" and aggressive cannot cope with the role and rebel against this role by engaging in criminal behaviour. Scutt also identifies a third area where females are subject to sex role socialization, that is, their peer culture. He asserts that the female adolescent's peer group may be a complicating factor in her socialization, that is, peers do not always encourage the type of behaviour which is considered sex appropriate by the family. For example, the peer culture may incorporate sexual "promiscuity" - behaviour which is strictly forbidden by the family.

Both Smart and Scutt attempted to update and diversify role theory by incorporating within this approach a number of social factors other than family, occupational opportunity structure, education, and peer culture.

Crites (1976) advanced a new approach within criminology to the subject of women and crime, which is quite similar to Smart. In her work, she indicated the increasing interest in women and crime and did not accept the stereotypical views about women. She also rejected the contentions that women are rapidly becoming involved in violent and aggressive offences, or that the women's movement is contributing to increase in crime.
Klein and Kress (1976) dealt specifically with the issue of women and crime. Their work provides insight and focuses on the crimes women commit. They criticized the existing studies for failing to consider the economic and political position of women and their sexist expression which may play as a factor in crime. They contended that, in order to understand female crime, economic system along with historical and present role of women in society, must be examined thoroughly. Klein and Kress proposed that women are as restricted in their criminal roles as they are in legitimate ones. They further noted that the women’s movement is not criminogenic. Women occupy and perform roles in the straight and criminal worlds, which are defined by their sex-determined lack of opportunity. Thus, female criminal behavior is an illegitimate expression of legitimate female sex role expectations and opportunities.

Bowker (1978) dealt extensively with statistics on women and crime and provided a new literature by discussing the criminal justice system in terms of male domination. While discussing male and female patterns of crime, he concluded that by rejecting early explanation and to explain the quantitative differences in male and female crime, both criminological theory and sex-role theory will have to be explored. He also maintained that, “development, situational and macrostructural variables, namely social, education equality, economic equality and socio-economic status” are involved in the causes of female crime and the roles women play within crime.

Balkan and Berger (1979) wrote an article on female delinquency and the women’s movement. They related female crime to sex role expectations and socio-economic conditions. They contended that female property offenses reflect roles in the market place, the increased opportunities, the current economic crisis and increased economic goals among women. They further argued that rising juvenile violence among female is due to the economic climate and not to the women’s liberation movement.

Hill Reuben (1949) has referred to the crisis for the family created by committing of crime by a woman and consequently her imprisonment. This crisis requires a new type of adjustment on the part of all the members of the family. Hill defines crisis as...
situation which blocks the usual patterns of action and calls for new ones. This crisis situation and the adjustment to it affects:

- The individual
- The pair (husband-wife)
- The children
- Other family members (if any)
- The family’s relationship with its kinship, groups, neighbours etc.

Somebody has to take the roles of mother, householder, cook etc., which were being performed by the imprisoned woman. On the part of husband, some sexual adjustment is required. Hill discusses the process of family adjustment in terms of “role-conceptual,” that is, socially prescribed roles each member plays in a family life. He says, “good adjustment to separation (due to imprisonment) involves closing of ranks, shifting of responsibilities and activities of the wife to other members, continuing the necessary family routines, maintaining husband-wife and mother-child relationships by correspondence and visits and utilizing the resources of friends, relatives and neighbours.

RADICAL THEORY

Radical theorists have used Marxist theory to explain criminality, but again the principles and applications of this theory have largely ignored women. This neglect is all the more strange when one assumes that Marxist theorists would accept the fact of women’s oppression and male domination in society (Morris, 1987; Heidensohn, 1985). According to Mann (1984), Marxist feminists have used the theory and its analysis of capitalism to explain how women enter into crime and also how they are treated by the system. Capitalism and paternalism are combined in this analysis, both contributing to the woman’s powerlessness. This use of Marxist analysis, however, was not offered by the male theorists, who devoted little attention to the economic subjugation of women.
From time to time different theories tried to explain the cause of crime. However, no single theory explains all crimes and delinquency. The behaviour and personality pattern of the criminals indulging in different types of crimes are quite different from each other, thus it becomes difficult to apply one theory in explaining the causes of becoming a criminal of other type. However, understanding of criminal behaviour would require examining the individual and the situation because basically the criminal behaviour depends upon how the individual perceives and interprets a situation (Bartol, 1980).

According to Reckless (1961), although crime as a behaviour problem or a social problem is complex and not easily understood, the criminality of woman is even more complicated and less understood. Leonard (1982) commented that theoretical criminology is unable to explain adequately the phenomenon of women and crime, since it is sexist and focuses on the activities, interests and values of man, while ignoring a comparable analysis of women. Leonard like others noted that women have not been committing more violent crimes, but rather more petty property crimes like shoplifting, fraud or forgery, (Warren, 1979, Steffensmeier, 1980, Challinger, 1982, Box and Halle, 1983)

Other contemporary researchers have also drawn similar conclusions (Krohn et. al. 1983, Visher, 1983). Heidensohn (1985), concluded that understanding the association between women and crime is not through feminist criminology but through “using insights into the role, position and social control of women which can be derived from other sources of women’s oppression.” Similar to her work, Carlen (1985) established that the feminist criminology have not been very successful due to two reasons. Firstly, many feminist writers have viewed crime as essentially a male activity and secondly attempts to identify a global theory of crime, which would explain the behaviour of both men and women in crime or a special theory of woman’s crime are theoretically unsound. Morris (1987) argued that stereotypical images of women have had a profound influence on the discussion of women’s crime. These are used to explain both lack of criminal behaviour and nature and extent of their
criminality, they are also used to account for both victims in the criminal justice system. Critically examining the manner in which these attitudes and conceptions of women's social roles affect their position within the criminal justice system, the author highlighted the special problems women experience there. Nacliffe's study (1987) is a feminist re-examination of the existing research producing a different interpretation of women, which recognizes her reason, purpose and her essential humanity. It examines critically the range of modern criminological theories in women from the late 1960s to mid 1980s. The main conclusions of the study draw the importance of the programme to create a new feminist criminology which recognizes the female offender as reasoning purposeful subject.

Perhaps because of the absence of women in these major theories of crime, criminologists concerned with female criminality continue to develop new theories to explain female crime rates. Very few criminologists concentrated directly on female criminals during the long gap between Polkak and current theorists. During the 1950s and 1960s, explanations continued to concentrate on the background of the female criminal and her particularly "feminine" traits.

In India, very few studies have been conducted and thus have very scarce relevant literature. The attitudes towards women in the literature of early and contemporary studies were closely linked with basic assumption about the determinants of human behaviour. Rao (1981) has pointed out, that the lack of sociological attention to the problems presented by female offenders in India is perhaps due to the observation that smaller number of women come into contact with law enforcing agents than do men. Singh (1980) pointed that, the phenomenon of female crime gets complicated since female offences are considered more serious as compared to male offences and this difference is believed largely due to the sociological position which the women occupy in Indian society. The other reason, that why female criminals in India are under-represented and why there are few studies on them both at juvenile and adult's level, is considered due to cultural feature of crime in India.
"women in an agrarian society are in protected status with a little exposure to crime-provoking situations" (Sandhu, 1983)

THEORIES RELATED TO INDIAN CONTEXT

The available theories in regard to women as offenders and victims of crime are both quantitatively poor and qualitatively deficient and hence competent studies on women and crime are still lacking. The lack of purposeful and perspective analysis of issues concerning women and her criminality in India can be realised by the constraints of empirical research in this area since women are less frequently remembered both as the offenders and the victims of crime (Shukla and Saxena, 1984).

In India, it was after Ram Ahuja undertook research in 1967-68 and published a book in 1969, ‘Female Offenders In India’, presenting a new theoretical paradigm on the causation of female crime, that gradually newer studies came to be undertaken in this field. Looking at the Indian scene, it can be seen that not many sociologists have been attracted towards criminological studies. According to Nagla (1982), exclusive sociological studies had given the descriptive account of statistical figures without discussing the nature and pattern of crime. Sharma (1965) studied female offenders in Uttar Pradesh and highlighted social and psychological factors in female crime. In 1985, she also worked on murders committed by women. Rao (1967) and Ahuja (1969, 1970, 1996) made attempts to study female criminality from sociological point of view. Sohoni (1974), Bhanot and Mishra (1978) and Singh (1981) furnished a statistical account of the nature, extent and pattern of female criminality. But little attention was paid to psychological aspects and factors contributing to criminality of women (Mohan, 1971, Singh, 1973, Nirmal, 1977, Yadav, 1979, Mohan and Singh, 1980, Sanyal, 1975, Sharma, 1987). From these research studies it can be seen that female offenders got the attention of scholars only since late sixties and early seventies.

Shariff and Sekar (1982) studied female inmates of Remand Home in Bangalore and pointed out defective family environment (pathological family patterns), faulty discipline by parents, broken homes, parental rejection etc as causes of deviant
behaviour. Mishra and Gautam (1982) too in their study have pointed out that female criminality is largely due to broken homes and crisis of changing social values. Sanyal and Agarwal (1982) studied female convicts and found that criminals had a feeling of insecurity and a feeling of low self-esteem.

Ahuja's study (1969, 1970, 1996) conducted in Rajasthan, Madhya Pradesh, and Punjab analysed the nature and magnitude of crime among women and explored the causes of crime and developed "Social Bond Theory" to explain the etiology of female criminality. He holds that woman's criminality can be theorized in terms of "contradictory or ill-defined roles in the family". Role collision (in which husband and wife, or daughter-in-law and parents-in-law etc. have roles which are in conflict in some respect), role incompatibility (in which the woman plays roles which have contradictory expectations) and role confusion (in which there is lack of agreement among family members about expectations of a given role) - all these create a situation for a woman which compels her to indulge in deviant acts. The causal factor for female crime is "family maladjustment" and pattern of family relationships. By analysing the structural problems of family organization and through studying the types of functional problems in women's families of procreation, crimes committed by women are examined in terms of "maladjustment in interpersonal relationship within the family".
The above diagram shows that factors endogenous or exogenous to family create provocation, temptation, strains and stresses in a woman’s life. These provocations or stresses produce a desire or a need to deviate from social and/or legal norms. The personality structure or the socio-psychological characteristics like temperament, attitudes, frustrations, deprivations or dominant underlying needs prevent some women from this deviation but fail to do so in other cases. Thus both...
personality system and pressure of environment in which woman functions contribute to woman’s criminality

This theoretical model focuses on “strength of character”, “role conflict” (role collision, role incompatibility, role confusion), “opportunity” and “totality of situation’ in family. Totality of situation includes varied situations in family taken together. Suppose a woman fails to get her husband’s love and affection (Situation $S_1$) and in-laws care and support (Situation $S_2$) and has illicit relations with a person (Situation $S_3$), it will be the totality of the three situations together ($S_1 + S_2 + S_3$) that will lead her to criminality (example, husband’s murder). Further, her personality characteristics will determine whether she will really commit murder (one type of behaviour) or suicide (other type of behaviour) or elope (third type of behaviour) or continue to live in the family (fourth type of behaviour).

Thus, woman’s “crime” (husband’s murder will be the outcome of interaction between her personality system and totality of situations in her family. It (crime) will develop in (interaction) process over time through a series of stages. In this process (spread over time), “criminal behaviour” will emerge not because of the past alone but because of the current situation and triggering or precipitating circumstances too. In simplified form, this conjunctive theoretical model in women’s criminality accounts for differences in women’s families and other institutional structures as well as in their personalities.

According to Paramguru (1984), women like men, are also motivated by the same fears, inhibitions, jealousies which wrap the human mind. Poverty, marital maladjustment, illiteracy, broken families, emotional tensions, imbalances in sex matters, social disorganizations commonly lead women to crime. Adwani (1978) stressed that in the case of female criminals, the etiology of crime is mainly due to immaturity to perform marital roles and inability to shoulder divergent role expectations which consequently lead them to be maltreated by their husbands and inlaws. These situations ultimately create serious problems of adjustment, motivates them toward various types of criminal behaviour. Husband’s bad habits of drinking
gambling, drug addiction, husband's nature being argumentative, suspicious, bad tempered, aggressive, greedy, his illicit affairs with other women, low income and excessive expenditure, a forced marriage, etc., are the major areas of conflicts faced by women murderers in Tamil Nadu (Prasad, 1982).

Rani (1983), in her analysis of "homicides by females" concludes that domestic factors including the deprivation of love and care of their parents or husbands and in-laws or a combination of both, victim's provocation and lover's friend's instigation contribute substantially to homicides by females. Thus unhealthy marital and family relations lead to family maladjustment and becomes a primary significance in the causations of crime by women.

Focusing on female murderers in the Central Jail, Jabalpur, Trivedi and Krishna (1983) found, among specific reasons, marital maladjustment and domestic quarrel, as the main motives behind homicides. Devasia and Devasia (1984) found in their study that, family plays an important factor in female homicide where disruption in marital relationships often leads to killing of the husband by a married woman and vice versa. In a recent study by Sharma (1985), sudden provocation, clash involving two families, land disputes and intra-familial conflicts have been found to be chief motives for mass murder by women.

Some of the researchers found frustration as a chief motivating factor in the creation of aggressive behaviour in murderers. It is observed in backward and low socio-economic status groups, marital violence is more prevalent, since the people of this class face more deprivations throughout their life and hence are more frustrating. In these lower class groups, often women become the victims of aggressive behaviour resulting from frustrating situations. They are frequently abused, beaten up and thrown out of their houses. After such beatings, when the woman lose patience and tolerance, she resorts to violence which may be directed towards herself resulting in suicide or towards the cause of frustrations, resulting in homicide (Mohammed, 1984).
Most of the studies (Ahuja, 1969, 1970, Sanyal, 1974, Rani, 1983) found that large number of crimes committed by these women are due to their maladjustments in the families of procreation. Thus it needs to analyse how the adjustment process gets affected to cause criminality and the relationship pattern between different members of family. There is also a need to probe on various social pressures and forces operating on women and contributing to crime.

To understand the etiology of crime, various approaches like biological, psychological, economical and sociological approaches have been made. Macro and micro level studies have attributed to social, cultural, economic and psychological variables to understand the etiology of female criminality. During the last two decades, due to a greater participation in the criminal activities by women, there is a greater need to study women criminals as the place and role of woman in the Indian society has also undergone changes. Since the research on women offenders because of its fragmentary nature, scope and coverage, is still lacking in academic expression, the present study identifies, examine and explains women's criminality in the socio-cultural, economic and psychological context to understand the life-style of women criminals.