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A CRITIQUE OF RECENT MEDIA PORTRAYAL OF WOMEN OFFENDERS
AND THE RISE IN FEMALE CRIME

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Peggy A. Toolis

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A CRITIQUE OF RECENT MEDIA PORTRAYAL OF WOMEN OFFENDERS
AND THE RISE IN FEMALE CRIME

By

Peggy A. Toolis

A THESIS

Submitted to
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ABSTRACT

A CRITIQUE OF RECENT MEDIA PORTRAYAL OF WOMEN OFFENDERS
AND THE RISE IN FEMALE CRIME

By

Peggy A. Toolis

I wish to thank the members of my committee Barrie Thorne, Marilyn Aronoff and James B. McKee for their assistance, support and criticisms.

Also, Peggy and Carol deserve countless thanks for their understanding and assistance in helping me complete this project.

This thesis critically examines widespread claims that women are increasingly involved in criminal, especially violent criminal activity, and that this rise is a consequence of the women's liberation movement.

These claims are explained in terms of the construction of a social problem, defined primarily in the media through the use of crime themes (i.e. where a number of specific incidents are later grouped under a general category or theme). Academic and media portrayals of women offenders are also discussed and compared. Content analysis of articles in newspapers revealed differential coverage and portrayal of crimes committed by men and women. The rise in rates of overall female crime, and violent female crime in particular is shown to be unreliable and lacking full substantiation. The linkage of the women's liberation movement and the claimed rise in rates of female crime is shown to be tenuous. Media are seen as the primary creators and fomenters of this perceived social problem.

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In order to fully understand how the tie has been made between the women's movement and women offenders, one must first ask and gain some understanding of the question "Why do women commit crimes?" Many possible answers have been given in academic works, and these have influenced public conceptions of the issue. Experts often wield influence through

the media, an influence usefully conceptualized in terms of crime themes. One example of a crime theme is the recent theme of crimes against the elderly. Specific incidents become apart of a broader concept. In their analysis

PART I: INTRODUCTION

In the past ten to fifteen years, issues relating to and involving women have been given a substantial amount of media coverage. Television, newspapers, and magazines report daily on women's accomplishments and defeats. This was not the case fifteen years ago and we might give credit for this increased attention to the women's liberation movement. At the same time, the media have been covering what they have portrayed as the dark side of the women's movement by pointing out, for example, rising rates of divorces, and an increase in female heart attacks. This paper explores another example of the media's portrayal of the dark side of feminism: women offenders and their increased involvement in crimes and violent crimes.

The relationship of the women's movement to crime is a fuzzy issue surrounded by controversy, with experts elaborating positions of all kinds and with some individuals profiting through book, magazine and newspaper sales, theses, etc. I chose to look at this example of claims about the dark side of the women's movement by studying how the media have treated women's crime. I focused on newspaper, as well as academic portrayal.

In order to fully understand how the tie has been made between the women's movement and women offenders, one must first ask and gain some understanding of the question "Why do women commit crimes?" Many possible answers have been given in academic works, and these have influenced public conceptions of the issue. Experts often wield influence through

the media, an influence usefully conceptualized in terms of crime themes. One example of a crime theme is the recent theme of crimes against the elderly. Specific incidents become apart of a broader concept. In their analysis, experts interpret a range of events within the framework of a given theme. Women and crime have become such a theme; incidents involving a woman with crime becomes an instance of the theme "woman offender" or the "violent woman offender" and other interpretations (such as the possibility of an economically motivated crime) are not provided. This thesis explores the relationship and development of the women's crime theme among academic theorists and the media. Among these influential, more academic theorists, there are two who have argued that there is a direct relationship between the women's movement and women's crime. With an aura of expert knowledge, their positions have helped publicize the notion of a tie between feminism and female crime, which has been picked up by the media.

The media (especially newspapers) have given considerable attention to the idea that there may be a connection between the women's movement and crime. They feature articles which claim an increase in women's participation in crime, especially violent crime. By now the media is sensitized to the idea that women commit crime and to a possible rise in women crime rates; therefore, one might expect that there has been some change in media reporting of incidents where women are perpetrators of crime. This study was designed to examine possible changes in the reporting of women's crime. To see if the media treats women and men differentially, I studied the types of offenses, headlines, space allocation and the number of articles reporting on female and male crime in the Detroit Free Press and The New York Times over a nine year period.

My data suggest the tenuous nature of any primary link between the women's movement and the "rise of female offender" and of claims about the rise of "the violent woman offender." Evidence is given which suggests that the available statistics on female crime are unreliable. It is further suggested that the "rise of violent female crime" is a social construction primarily created by the media.

Women offenders are not receiving as much support from the feminist community as are victims of rape or woman battering. The unfortunate cause-effect link of feminism to women offenders may partially explain this. Defense counsel does not seek the help of the feminist community in preparing a defense. Perhaps media attention of women offenders has been effective in conveying to feminists that these women are deceitful and not deserving of help. In other words, battered women are easily seen by feminists as victims, whereas women offenders and women prison inmates are hidden by conventional notions of deviance.

Two trends have arisen from this, women are being incarcerated at disproportionately higher rates than in years past and arrest statistics are rising. While the former trend is clear (a simple body count) the latter can be challenged (that is while more women are being arrested it does not necessarily indicate a rise in actual crime). One must recognize the possibility of important shifts in beliefs held by judges, police and prosecutors who have been influenced by challenges to the traditional way of viewing the nature of women. I contend, therefore, that the rising crime rates of women are not a real example of the "dark side" of the women's movement and overlook "dark side" of feminism is the fact more women are being held in the most repressive institutions in the interest of the state. Those people in positions who have

discretionary power to define an act as criminal have perhaps been more deeply affected by feminism. Their world view has been modified/influenced/affected by the women's movement and its struggle to achieve "equality." (It is somewhat inconceivable for people to run for office now without stating their position of women's place in society.) It is possible then that their discretion inherent in their jobs (for example, a judge uses his/her discretion in sentencing, such as parole, prison, rehabilitation program, etc.) calls for more, harsh treatment or, perhaps, simply "equal" treatment.

The rise in violent women's crime is another critical issue, yet expert's analysis of this phenomenon is more varied. Overall, between 1960-1975 the crime statistics show a 102% increase in arrests for women compared with a 23% increase for men. Two experts who looked at this trend, Freda Adler and Rita Simon, both accept the fact there has been an actual rise in female crime. They disagree over the involvement of women in violent crime. Adler argues that women are more involved in violent crimes; Simon says their involvement in crimes of violence has not changed, but that they have increased involvement in property and other less serious offenses.

One of the first and most influential to theorize about rising female crime rates was Freda Adler who, in the most often cited book on the subject *Sisters in Crime* (1975), proposed that the loosening of gender roles, partly due to the women's movement, allowed women to take their hand in the criminal sphere. Through education, women's roles have become masculinized and the "new feminism" with its emphasis on awareness, thereby allowing and compelling women to take an active part in illegitimate as well as legitimate spheres.

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PART II: REVIEW OF THE LITERATURE

Recent years have seen a growing controversy, both in the academic and public spheres, about the present nature of female criminal behavior. Explanations about the sudden "rise of the new female criminal" are at the heart of this controversy, each explanation seeking to account for the increased numbers of women on the police blotters in the 1970's. The rise in violent women's crime is another critical issue, yet expert's analysis of this phenomenon is more varied. Overall, between 1960-1975 the crime statistics show a 102% increase in arrests for women compared with a 23% increase for men. Two experts who looked at this trend, Freda Adler and Rita Simon, both accept the fact there has been an actual rise in female crime. They disagree over the involvement of women in violent crime. Adler argues that women are more involved in violent crimes; Simon says their involvement in crimes of violence has not changed, but that they have increased involvement in property and other less serious offenses.

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this unfortunate but inevitable side effect of the women's movement has led and will continue to lead to increased involvement in violent as well as property offenses.

In the same year, 1975, Rita Simon offered her analysis of the same phenomenon, which she called the "major by-product" of the women's movement. Simon used 1960's and 1970's FBI Crime Statistics to show that women have increased their participation in property offenses but have become no more violent than they were ten years earlier. She argues that the women's movement gives women the opportunity to obtain better jobs and, for some, the opportunity to commit crimes in new job settings. She predicts that violent crime will decrease because women, while taking better white collar jobs, will feel less frustrated in their newly obtained positions; therefore, they will not have to take it out on their loved ones.

Klein and Kress (1976) added yet a third perspective on the rise of female crime. They suggest the increase in numbers of women offenders (violent or non-violent) may or may not be an indication of a rise in actual illegitimate activity. They maintain that other factors may be influencing this rise in arrests, such as the changed perception of women by the police or a change in the political situation of women. They feel "that the larger class structure of sexism . . . is reproduced in the illegal marketplace" (Klein and Kress, 1976:41). The social position of women at a particular time also influences the extent and type of crime they will commit. Due to the historically disadvantaged position women have held in terms of commodity production and distribution, including "the competitive illegal marketplace of goods and services, e.g. drugs and prostitution" (ibid.) women (both those

ing the data at hand" (Bowker, 1978:4). Adler (1975) accepts the crime

with male "providers" and those who are independent) are not prepared to enter that market aggressively either socially, psychologically or economically to steal. Klein (1973) reviewed theoretical writings on the woman offender and argued that all of them were grounded in classist, racist, and sexist assumptions. Traditionally, the causes of female crime (as well as male crime) have been explained in biological and psychological terms (such as, it is in women's inherent nature to commit crimes); more recently it has been asserted that women are unable or unwilling to fill their "normal" social roles (whereas, it may be argued that men commit crimes as a deviant extension of their role). Shover and Noland (1976) reviewed empirical and descriptive studies of the woman offender and noted the assumptions inherent in these writings. They conclude, along with Klein, that the research is built on supposedly shared notions of the stereotypic (classist, sexist, racist) beliefs about the sexes as agents of social control and the mass communications media did Klein (further discussion of the beliefs will follow).

Klein (1973), Klein and Kress (1976), Smart (1976) and Weis (1976) are all critical of the unicausal explanation that changes in female roles result inevitably in increased criminal activity among women. Rather, they suggest that some investigation into the interrelationship of political-economic variables, gender roles and criminal activity is needed. have views similar to those of Weis and Smart

The question of the reliability and validity of the Uniform Crime Reports (UCR's) is ultimately at the root of this controversy. Bowker (1978) states that criticizing UCR's serves no useful purpose when talking about the woman offender and delinquent. "For the moment, it is better to suspend criticism in order to get on with the task of examining the data at hand" (Bowker, 1978:4). Adler (1975) accepts the crime

statistics but shows how the statistics on violent crime can be reinterpreted. Klein and Kress (1976) question all of the statistics, (as I do) citing changes in the recording of the statistics as possible explanation of the rise (i.e. changes in police attitudes, different organization of data) although the extent of such influence is difficult to assess. Black (1970) offers the explanation that UCR's measure "actual" social control operations (which increase or decrease in effectiveness) rather than "actual" deviant behavior.

Weis (1976:14) states the overall analysis of "the 'new female criminal'" seems to be a product of the collective imaginations, perhaps wishes, of misguided observers and analysts." Smart (1976), writing from the United Kingdom, is hesitant to write a book on the female offender for fear that she might add to a body of literature that they then can construe as describing a new visible social problem:

It is not beyond the bounds of reason to imagine that if agents of social control and the mass communications media become sensitized to a new "problem" their subsequent actions may well lead to the appearance of increased in the rates of crimes and an escalation in the reports of violent and criminal offences by women and of delinquency in girls. (Smart, 1976:XIV)

The female crime phenomenon can be usefully looked at as a case of the social construction of a problem. Spector and Kitsuse (1977), theorizing more generally about the social construction of social problems, have views similar to those of Weis and Smart. Social problems become what people say and think they are. Spector and Kitsuse see social problems as the activities or products of individuals or collectives, (such as analysts, agents of social control, and the mass communications media) who make assertions or claims that problematic conditions exist. People find areas for claims-making activities to

construct their beliefs about a problematic condition. It appears then that Smart is fearful of being interpreted as adding to the construction of the female offender "problem", hence further compounding the "problem." further "proof" when officials began to "crack down" and

The mass media are a key arena for claims-making activities. Hubbard, DeFleur, and DeFleur (1975) see mass media as having some impact on emerging social problems. Claims-makers influence the public by passing on definitions of the problem and their feelings that this is a problem that they should be concerned with. Writing in a similar vein, Mark Fishman (1978) analyzes the construction of a crime wave against the elderly in New York City. He shows how claims-makers, in this case journalists and police officials, worked together to create or construct a particular crime wave in New York. Crime waves are often unsupported by the actual crime statistics (which have not, in fact, actually increased in that period of time); instead, they are results of a crime theme. It then appears that crime waves are related to people's awareness of crime, not crime itself. In understanding the reporting of crime by the media "studying crime waves means studying processes in the mass media" (Fishman, 1978:33).

The "rise of the female offender" can now be viewed as a construction involving several interrelated areas. Construction of this particular "problem" seems to have begun with the citation of a rise in statistics followed by explanations by experts in academic and social control agencies, which also had the effect of dramatizing the statistics. The mass media became a place for claims-makers to state their beliefs, and as a "rise of female crime" theme emerged in the media and hence in public awareness, newspapers, magazines, and television began to

report crimes involving women as cases of the theme. Attention paid to these offenders in the media and academia sensitizes officials to the rise and its relationship to the women's movement. This indirectly generated further "proof" when officials began to "crack down" and "give women the equality they want."

I wanted to reconstruct the development of the phenomenon of the "rise of the female offender" and see if media treated men and women offenders differently in reporting crimes. Since newspapers are preserved on microfilm I found it convenient to use them as primary data sources.

I sought out articles that dealt with men and crime and/or women and crime. The New York Times Index was helpful in locating general articles on women (there was, significantly, no such category for men), which in turn helped establish the approximate time period of the "rise" from 1972-1977. I then went to the Detroit Free Press to locate all general articles about crime. Since the Detroit Free Press does not maintain an index, I perused all issues for the years 1970-1977 to look for such articles. The Reader's Guide to Periodical Literature provided titles of articles in the more popular magazines. It was from these three sources that I was able to reconstruct the "rise" of the female offender in the media.

I then looked at specific incidents of crime reporting. I looked through every issue of the Detroit Free Press for the month of May for each of the years 1970-1978. For every report of a crime I noted the sex of the accused perpetrator, number of square inches of the article, where the story originated from, headline, and type of offense. (I excluded two crime themes from this process, the Watergate scandal and war crimes stemming from Viet Nam. Comparisons of women's involvement

in national and international crimes to men's is ludicrous.) Tables (which appear in later discussions) were constructed from these data to draw comparisons between media treatment of men and women on several of these measures.

III: METHODOLOGY

I also made note of the content of many articles which made reference to motives or which quoted victims of crimes. Also noted were the "rise of the female offender" and see if media treated men and women offenders differently in reporting crimes. Since newspapers are pre-comparisons of differential treatment by the media in portraying men and women offenders, I found it convenient to use them as primary data sources.

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IV: PORTRAYAL OF THE WOMAN OFFENDER

Within the academic sphere, explanations of why women commit crimes have undergone several transformations since the first theorizing by Cesare Lombroso in 1894. Critiques of both past and present theories are offered in the discussion below. An overall theoretical picture is presented, so that one is able to view the media portrayal in the same light as the portrayal contained in more academic theoretical sources.

In the last half of this section I will concentrate on the media portrayal of the female offender. Many of the assumptions found in the theoretical works are also found in media explanations. It is also shown that the media portray male and female criminals differently.

Academic Portrayal

In the field of criminology, few works have been written which focus solely on the woman offender. Dorie Klein has done an important critical review of this traditional literature in her article "The Etiology of Female Crime" (1973). Below is a brief summary of her analysis. Simon and Adler (each writing in 1975, after Klein's article) are guilty of making many of the same assumptions as their predecessors. Their works are also criticized. Suggestions for developing a new theory of female criminal behavior are also given.

The critique given by Klein centers around shared assumptions about the nature of women given by all the traditional theorists. The assumptions, she states, are sexist, classist and racist. These assumptions

are central to the major theories proposed by Lombroso, Thomas, Freud and Pollack:

The writers see criminality as the result of individual characteristics that are only peripherally affected by economic, social and political forces. These characteristics are of physiological or psychological nature and are uniformly based on implicit or explicit assumptions about the inherent nature of women. This nature is universal, rather than existing within a specific historical framework. (Klein, 1973:4)

Since a criminal act is an individual action, the emphasis then turns to finding a criminal and non-criminal type of person. This is where the traditional theorists diverge but one readily sees the common thread among them all. "Whether their problems are biological, psychological or sociological, the point is always to return them to their roles" (Klein, 1973:5). In each case, Klein maintains the theorists explain criminality among women by pointing out that they are drifting into the masculine sphere. This is viewed as a perversion or rebellion against their natural feminine roles which do not normally encompass criminal behavior:

In setting hegemonic standards of conduct for all women, the theorists define femininity, which they equate with healthy femaleness, in classist, racist and sexist terms using their sexuality to justify what is often in reality merely a defense of the existing order. (Ibid.)

These theorists (Lombroso, Thomas, Freud, Pollack) assume that upper class women embody the highest expression of femininity, that women are inherently inferior to men and that developmentally white men are the most superior and non-white females the most inferior.

Lombroso and Ferrero (in 1894) were the first to explore the criminal and non-criminal types among women using a biological determinist model. They felt that criminal activity was a result of an atavism, or survival of a "primitive" trait in an individual. Traits which were

indicative of this evolutionary throwback were such things as moles, dark hair, "virile" crania, and the like. Klein points out that Lombroso and Ferrero specifically reject the notion that a condition could be the result rather than a cause or indicator of criminal activity, for example, obesity in prostitutes. Certain "atavistic" characteristics are racial characteristics of southern Italians or Sicilians (like dark hair).

Klein (1973:7) points out "that his methodology and conclusion have long been successfully discredited", also, criticisms of Lombroso's theory are standard material for any introduction to criminology textbook. But myths about the sexes, evident in the work by Lombroso and Ferrero, have not been analysed. One such notion concerns women's physiological immobility and psychological passivity, later elaborated by Thomas, Freud and others. Also, Lombroso develops the notion of women's amorality (criminal and non-criminal alike), i.e., they are cold, calculating and deceitful. "This is developed by Thomas (1923), who describes women's manipulation of the male sex urge for ulterior purposes; by Freud (1933), who sees women as avenging their lack of penis on men; and by Pollack (1959), who depicts women as inherently deceitful" (ibid.).

W.I. Thomas was the next major theorist of female crime. His theory integrated physiological, psychological and social structural factors. These works, Sex and Society (1907) and The Unadjusted Girl (1923) were a great improvement over strictly biological explanations but still, like Lombroso and Ferrero, they were based upon biological assumptions about the nature of women. "Maleness is 'katabolic', the animal force which is destructive of energy and allows men the possibility of creative work through this outward flow. Femaleness is

'anabolic', analogous to a plant which stores energy, and is motionless and conservative" (Klein, 1973:11). Thomas further states that this dichotomy is most developed in the more "civilized" races, due to the greater differentiation of sex roles. But as Klein notes, "This statement ignores hard physical work done by poor white women at home and in the factories and offices in 'civilized' countries, and accepts a ruling-class definition of femininity" (ibid.).

Thomas (1923) closely links morality to legality from the standpoint of maintaining social order:

Morality as applied to men has a larger element of the contractual, representing the adjustment of his activities to those of society . . . morality . . . in connection with women shows less the contractual and more of the personal, representing her adjustment to men . . . (Klein, 1973:13)

It follows then that men and women are guided by different codes:

Morality, in the most general sense, represents the code under which activities are best carried on and is worked out in the school, and men are intelligent enough to realize that neither women nor children have passed through this school. It is on this account that man is merciless to women from the standpoint of personal behavior, yet he exempts her from anything in the way of contractual morality, or views her defections in this regard with allowance and even with amusement. (ibid.).

Klein points out that since women are in marginal position in the productive sphere of exchange of commodities which is outside the home, they in turn occupy a marginal position in regard to "contractual" law which regulates relations of property and production. This perhaps gives us a clue as to why the men and women are treated differently in the criminal justice system. What is viewed as "chivalrous" treatment of women may actually be based on an assumption that women are not a threat to property. Third World women do not embrace traditional female roles; they, then, are viewed as a threat and are not granted this "chivalrous"

treatment. [Note: in 1976, 70.5% of the incarcerated women in Michigan were non-white (Boehm, 1976).]

Thomas is partially responsible for a popular practice in corrections today. Thomas felt that a problem that societies must face, or more specifically institutions, is to give individuals proper definitions of the situations and "right" attitudes. This illustrates an important shift in views from merely protecting society to rehabilitating people by adjusting them through resocialization. In Thomas's view, when dealing with a woman who has committed a crime, one must help her reembrace her female role.

Thomas also argues that middle class women commit fewer crimes because their sense of morality sublimates their natural desire and, as a result, they behave well. Poor women are viewed as amoral. They are not objectively driven to crime, rather they long for the excitement and new experience of crime. Yet Thomas still sees these actions as related to femininity; they are just acting out illegally. "Thomas uses a market analogy to female virtue: good women keep their bodies as capital to sell in matrimony for marriage and security, whereas bad women trade their bodies for excitement" (Klein, 1973:15).

Sigmund Freud (1933), like Lombroso, Ferrero, and Thomas, developed a theory of the female criminal based on biological beliefs about the nature of women. Freud assumes feminine traits can be traced back to a woman's feelings of inferiority rooted in her sex organs which are felt to be inferior (she lacks a penis). A deviant woman is someone who is attempting to be a man. Once again, the task for those dealing with the criminal is to adjust her to the sex role from which she is straying. Like Thomas's view, this view finds the individual the cause

of the behavior and therefore suggests individual change rather than social change as the remedy.

Freud makes assumptions about femininity which have race and class bias; he says nature has determined woman's destiny through "beauty, charm, and sweetness." A woman should not be subject to the competitive world rather should withdraw to the calm of the home as wives and mothers. But as Klein (1973:18) observes, "Only upper and middle class women could possibly enjoy lives as sheltered darlings."

Freud influenced others who sought to explain female criminality with concepts of sexual maladjustment and neurosis. Klein (1973:18-19) points out that "psychological factors would be used to explain criminal activity and social, economic and political factors would be ignored. Explanation would seek to be universal, and historical possibilities of change would be refuted."

After a lull of many years, Otto Pollack (1950) wrote The Criminality of Women. His position is that women commit as many crimes as men but they are hidden crimes. These hidden crimes exist because of the nature of women based on assumed physiological factors:

Man must achieve erection in order to perform the sex act and will not be able to hide his failure. His lack of positive emotion in the sexual sphere must become overt to the partner, and pretense of sexual response is impossible for him, if it is lacking. Woman's body, however, permits such pretense to a certain degree and lack of orgasm does not prevent her ability to participate in the sex act. (Klein, 1973:12)

Like Freud, Pollack reduces a woman's nature to her sexuality. Pollack "finds women inherently more capable of manipulation accustomed to being sly, passive and passionless. As Thomas suggests, women can use sex for ulterior purposes" (Klein, 1973:27). It is this deceitful nature which makes them particularly skilled at crime.

According to Pollack, roles played by women (e.g. domestics, housewives, nurses) give them the opportunity to commit undetectable crimes. The kinds of crime reflect their nature; hence shoplifting is attributed to a neurosis or sexual psychological factors rather than to economic causes. While Freud viewed all female crime as masculine, Pollack differentiates between masculine and feminine crimes for women. Crimes with a "tendency toward" economic motives that involve overt action, like robbery or burglary, are masculine; and those crimes involving sexual activity, such as luring men as bait, are feminine crimes.

Pollack believed that the chivalry in the criminal justice system is another way in which women's crime is hidden (most likely he was influenced by Thomas here):

He assumes that there is chivalry in the criminal justice system that is extended to the women who come in contact with it. Yet the women involved are likely to be poor and Third World women or white middle-class women who have stepped outside the definitions of femininity to become hippies or political rebels, and chivalry is not likely to be extended to them. Chivalry is a racist and classist concept founded on the notion of women as "ladies" which applies only to wealthy white women and ignores the double sexual standard These "ladies", however, are the least likely women to ever come in contact with the criminal justice system in the first place. (Klein, 1973:22)

Klein, in summary, points out the traditional theorists have looked for biological and psychological explanations for female criminal behavior. Although they differ in the specifics of their theories, they are all based on stereotypic notions of the nature of women. Each views female criminals as having stepped beyond their natural feminine roles. The individual criminal becomes the focus of the problem rather than larger societal or economical factors which might result in activity.

In 1975, two new books on the woman offender hit the academic circles. Simon's Women and Crime and Adler's Sisters in Crime (also

popular in the public market) attempt to explain women's increased involvement in crime in the late 1960's and early 1970's. Each accepts the increase as real, and entertains the notion that the women's liberation movement has come bearing on the rise in female crime rates. It is important -- given the criticisms Klein offered with regard to earlier theorists -- to ask if these two theories are adequate and if the explanations avoid the biases of sex, class and race prejudice.

Adler, a self-proclaimed expert on the woman offender, focuses on the recent upward trend in female crime rates, labels it "the rise of the new female criminal," and places blame on the women's movement. Her theory is based on the Uniform Crime Reports, a source of data not available to earlier theorists like Thomas. These statistics show a tremendous rise in arrests for women since 1960. (See Table 1) Central to her argument is the idea that the '60's 'virilized'" (terminology similar to Lombroso's "virile crania") a previously docile female population. Adler maintains that female behavior is becoming increasingly masculinized as a result of women's rejection of traditional roles (note the echo of Freud in this line of argument) in social as well as, criminal contexts. This masculinization, thereby, increases the frequency and variety of criminal activity by women. "Women are committing more crimes than ever before. These crimes involve a greater degree of violence" (Adler, 1975:3).

Table 1

1974 Women as Percentage of Total Arrests in U.S.

Crime	Percent in 1974	Percent Change From 1960
murder and non-negligent homicide	15.3%	+116.1%
forcible rape	(x)	(x)
robbery	7.2%	+305.7%
aggravated assault	14.3%	+133.7%
burglary	5.5%	+245.9%
larceny	32.2%	+404.0%
motor vehicle theft	6.5%	+161.6%
other	16.0%	+ 72.0%

Source: 1974 Uniform Crime Report

It is difficult to pinpoint exactly how Adler believes the liberation movement has affected female criminality. She interviewed women prisoners and concluded that they, in effect, recoiled in horror that they should be seen as a part of the movement. From this she concluded that these women are not feminists. These women held very traditional views about the nature of roles of women. Yet later she argues that these "new" female offenders are shedding traditional roles. Indirectly, she sees the women's movement as constructing the consciousness of "new feminism" that is a general awareness of women's rights. This awareness and resulting broadening options has led to women taking a job or going back to school after marriage. Women have been able to develop their abilities and increase their opportunities. "It [the new feminism] describes the women who have concluded that prostitution and shoplifting are not their style: embezzlement, robbery and assaults are more congenial to their self-image" (Adler, 1975:27).

Adler like the traditional theorists, places much of the responsibility for criminal behavior upon the individual. The offender is out of control, while others are constructively utilizing the opportunities

stemming from the movement. But the woman offender's life is in disarray thanks to the "new feminism." Adler's psychosocial theory again overemphasizes the individual's ability or inability to accept the legal limits or roles whether they are traditional or expanding. This has given many people reason to discredit the women's movement because of its inevitable consequences. Adler, like many of her traditional predecessors, overlooks or ignores the major influence of economic motives. Her uncausal explanation of women's liberation destroying traditional sex roles neglects the fact that there may be more pressure on women to support themselves and their children than they have had in the past. Her concentration on the current "rise" offers little explanation of past increases (during the mid-1940's) and decreases (about 1947-1960) in women's crime.

Simon also feels women's liberation has made some profound changes in women's participation in crime:

If one assumes that the changes in women's roles, in their perceptions of self, and in their desire for expanded horizons that began in the latter part of the sixties will not be abated, whether by external events such as a major economic depression or by internal processes whereby women examine their situation and decide that their happiness lies in the traditional pursuits of homemaking, wifely companionship and motherhood, then we would expect that one of the major by-products of the women's movement will be a higher proportion of women who pursue careers in crime. (Simon, 1975:1)

She, like Adler, predicts further rise in the number and types of crimes committed. She also argues that women who engage in crime with men will not continue to play subservient roles such as driving the getaway car or acting as a lure or bait. Contrary to Adler, Simon argues women's participation in violent crimes has not increased and will not increase:

The reasoning here is that women's involvement in such acts typically arises out of the frustration, the subservience, and the dependency that have characterized the traditional female role . . . when women can no longer contain their frustrations and their anger, they express themselves by doing away with the cause of their condition, most often a man, sometimes a child. As women's employment and educational opportunities expand, their feeling of being victimized and exploited will decrease, and their motivation "to kill will become muted." (Simon, 1975:2)

She paints a rather rosy picture for women who enter the labor market and ignores the potentially stressful condition of a competitive society outside the home. Women also face other sources of frustration and hardships. They enter into an occupationally segregated labor market with a large wage gap between the sexes. Work for men does not necessarily allow them to vent their frustration, rather, they are more likely to release those frustrations at home.

Simon views women's increased participation in crime as related to the new opportunities generated by the women's movement. In the past, she argues, women have been excluded from illegitimate opportunities. "As women become more liberated from hearth and home and become more involved in full-time jobs, they are more likely to engage in types of crimes for which their occupations provide them with the greatest opportunities" (Simon, 1975:1). So as women enter white collar jobs they will be given the opportunity to commit white collar crimes. Simon assumes women are leaving "the hearth and the home" to commit these crimes. In her discussion, she neglects women offenders who do not have jobs or who do not have the skills needed to seek out new opportunities.

The ACLU denounced Simon's findings because of "obsolete and incomplete data" (ACLU News, 1978:1). Simon's tie of the rise of economic crimes to increased economic independence and job opportunities is

tenuous. She fails to look at the demographic data (like marital status, children, education attainment, or type of employment) of those women. The ACLU report suggests that of those women who are incarcerated, most were working at unskilled or semi-skilled, low paying jobs. (It is also important to note that those women who serve time are "selected" from all those convicted of a crime and not necessarily representative of all women offenders). The ACLU report also expresses concern for public reaction to Simon's analysis could be:

Her attempt to draw a correlation between women's economic crimes and the women's movement has been promoted as a conclusion . . . which it is not. It is speculation tinged with sensationalism. The tragedy is that this report may well be used to formulate arguments against employment of women and for incarcerating women in greater numbers. (ACLU News, 1978:1)

Adler and Simon both seem to be explaining female criminality as some sort of reaction to altered situations caused by changing opportunities and roles as a result of the women's movement. According to this line of argument, while the women's movement has brought many benefits to women, it unfortunately has thrown some women into turmoil. It becomes an individual problem for women who cannot control their impulses when given increased opportunities. They must then be restrained and taught how to act within the legal limits. Except for opportunity structures, Adler and Simon both ignore all other factors outside the individual which may account for female criminality.

While these two women have made an important step in looking at some structural factors related to criminal behavior, they have not broken themselves free from elitist assumptions. They have changed the possible motives of women offenders, yet have not questioned the underlying assumptions. Klein, in her concluding remarks, recognized the

inadequacies in these conventional theories and therefore asks that further work be done from a radical perspective with feminist roots.

Richard Quinney offers one such radical perspective, however, he lacks feminist roots. While offering a critical look at the criminal justice field, he fails to break with theorists like Thomas and Freud, when it comes to assumptions and expectations regarding the sexes:

A good part of the difference between adult male and female involvement in criminally defined activity is a consequence of the conventional adult sex roles in our society. Men are expected to be active and aggressive; women are expected to be more passive. (Quinney, 1975:100)

To explain women's criminal involvement (or increased involvement) in terms of sex roles does not, perhaps, get at the large part of the problem. According to Weis, increases in female crime may "reflect a depressed economy and concomitant widespread unemployment, particularly among women." It may also reflect the "changed material conditions of consumption over the past two decades," (Weis, 1976:25) which then presents additional pressures on women to be able to exercise purchasing power.

Part of Kelin's conclusion is appropriate here. This is her hope for a new direction in understanding female criminality (Klein, 1973:28).

The basic assumptions and technocratic concerns of these writers have produced work that is sexist, racist and classist; assumptions that have served to maintain a repressive ideology with its extensive apparatus of control. To do a new kind of research on women and crime -- one that has feminist roots and a radical orientation -- it is necessary to understand the assumptions made by the traditional writers and to break away from them. Work that focuses on human needs, rather than those of the state, will require new definitions of criminality, women, the individual and her/his relation to the state. (Klein, 1973:28)

Media Portrayal

The previous section reviewed the theory of women offenders as it has been transformed over the past hundred years. Conventional criminology and media often reflect the dominant ideology. The media sometimes draw directly on the ideas of social scientists and other experts; therefore, one may expect similarity between the academic view and media portrayal.

Klein has shown the inadequacies of assumptions of traditional theorists. Shover and Norland (1978:115), argue that empirical academic studies of women offenders have the same sorts of problems which Klein has revealed for theoretical works:

One of the ways in which criminological work has been influenced by stereotypic beliefs about the sexes is seen in the uncritical acceptance of the reality of certain sex-linked personality differences. These are treated as independent variables and then alleged uncritically to be differentially related to patterns of criminal involvement. (Shover and Norland, 1978:115)

They too, are curious about the notion that women's crime is undergoing transformations:

There has been much speculation about the allegedly changing nature and volume of female crime. Most of this work has sought to link these changes directly to assumed changes in the nature of gender roles in contemporary American society Reports in the mass media have been even more alarmist. (Shover and Norland, 1978:114)

In this section I will investigate whether the media, like academic theorists, link changes in women's crime to the women's movement and assumed changes in the position, roles, and activities of the sexes. At a later point, I will offer an analysis of why the "rise of the female offender" in the media may be viewed as a construction of a social problem.

Newspaper articles dealing with the overall question of crime

began to focus on women offenders during the period 1970-1978. The critical year for examining violent women offenders seems to be 1975. Typical headlines for these articles include: ". . . Lib, City Pressures the Reasons" (Detroit Free Press, hereon abbreviated DFP, 4/4/74, 4C), "Stealing for Children or Ripping Off Society" (DFP, 7/7/74, 4C), or "Why do Women Turn to Violent Crime?" (DFP, 5/2/75, 1C). I did not find any articles asking similar questions of male offenders (e.g. "Why do Men Turn to Violent Crimes?"). I did find two articles which ask why people murder (both men and women were addressed) and why they shoplift (found in the Finance section). Articles about Uniform Crime Reports assume men's presence in criminal activity. Gender was not mentioned at all in these articles on crime statistics. Women were only mentioned in articles written on a special topic or in articles which featured them specifically.

Women's participation in crime (especially violent crime) appears to be news. Starting in 1971, their low profile in crime reports began to undergo some transformation. There was a rash of articles seeking to offer explanations about the sudden, dramatic rise in women's crime. In the New York Times, there were 11 articles referring to the women offenders, the first 2 appearing in 1971, 2 more in 1974, with the remaining 7 spread out over 1975 through 1978. Reflecting a similar trend, the Detroit Free Press had 14 articles about female offenders in the same time span. One such article appeared in the New York Times, April 26, 1971. It simply stated "Women's Arrests Increase" (p.40,s.1, c.1) in the headline and stated that arrests for women rose 23% in 1970. A Los Angeles county sheriff was quoted, saying "The liberation of modern women might have something to do with it." Headlines of articles

through 1974 point out women's increased participation: "Women Play Growing Role in City's Crime" (DFP, 8/15/71, 3A), "More Women Commit Serious Men's Crimes" (DFP, 8/6/73, 2B), "Crimes by Women: Rise and Severity are 'Astronomical!'" (DFP, 4/4/74, 4C). When one reads further one finds that women's liberation is offered to explain this phenomenon. Other reasons were given (such as greater opportunities to commit offenses) but a heated debate was not evident in 1974. In 1975, media coverage extended to include arguments offered by those who said women's liberation was not the cause, and headlines started to reflect the debate over blame: "Women's Crime is Issue at Penologists' Parley" (New York Times, hereon abbreviated NYT, 8/24/75, 51:5), "Critics Assail Linking Feminism with Women in Crime" (NYT, 3/14/76, 48:4), "Don't Blame Lib for Crime" (DFP, 4/8/76, 2D).

In 1975, the media theme of women's crime began to change from the simple reporting of a trend to heated controversy over the cause of this trend. The media especially emphasized the fact that feminists were divided on this issue, for example, by using phrases like "Adler, a feminist herself" The media sought quotes from well known women in the feminist community. "For Robin Morgan, a woman's liberationist who was herself arrested for sitting in a New York publishing firm, the rising female crime rate isn't all that appalling. She calls it a "heartening sign" Susan Brownmiller "admits to deriving a certain satisfaction from the new militancy of prostitutes" (Today's Health, 1971:49). These statements have the effect of linking women's liberation and crime, and further swaying the reader to draw this connection.

In the popular journals, there was also growing an interest in the

woman offender. The peak year was 1975, with seven articles appearing in magazines with large circulation, such as Newsweek, National Review, Psychology Today, and U.S. News and World Report. Titles for these magazine articles tended, for the most part, to reflect the creativity of the writers: "The Gentle Sex? I'd Rather Meet a Cougar!" (Today's Health, 72:42), "The Woman's Touch" (Newsweek, 1975:35), "Women Catching up to Men in One More Field: Crime" (U.S. World and News Report, 1974:45), and "The Rise of the Female Crook" (Psychology Today, 1975:42).

Many of the articles first point out the rise of statistics. For example, in the Detroit Free Press, May 2, 1975, an article stated (1C, c7-8):

From the 1960-1973, the number of women arrested for serious crimes -- homicide, robberies, auto thefts, assaults -- increased 277.9 percent, the FBI's Crime Index shows. Male arrests for the same offenses went up 87.9 percent.

Such statistical citations are often accompanied with exclamation points and adjectives such as "astronomical", "sobering figures", "skyrocketing."

The majority of the articles explained the crime rise in biological, psychological, and liberation related terms -- echoing the earlier explanation seems like an updated version of Lombroso, in this case, the argument that violent offenses by women are related to a stage of the female menstrual cycle (San Francisco Chronicle, 8/24/78:3A). One policewoman explains that women lost their inhibitions: "They don't stay home in little white cottages anymore. A lot of women feel they can do the same things as men, so they're out there doing them" (This seems to be a replay of Simon's notion that women are leaving the hearth and the home) (DFP, 5/6/73:2B). Like Freud and Pollack, these articles

present the idea that women commit crimes because they want to be like men, which assumes that crime is intrinsically a male activity. Another variant of this interpretation appeared in this statement: "All of a sudden, they have figured out, 'I'm being insulted . . . ' and you have the anger period. Hopefully, as they begin to claim their lives, more will go through this nasty adolescent period and we'll see a peaking off and a dropping of aggression" (Detroit Free Press, 4/4/74:4C).

Thomas argues that women use their sex by appealing to men's urges for ulterior purposes. A similar line of argument reappeared in an article in Newsweek (1975:5):

On the other hand, what women may lack in strength, they can make up for with their own physical attributes. After a bank holdup in Pasadena, California, recently, a teller was unable to tell police what the female bandit looked like. The reason, he explained sheepishly, was the robber wore a see-through blouse with no bra.

In addition to the content of articles, I also gathered information on the reporting of crime incidents. A detailed look at the mode of reporting of crime incidents shows there has been no relative increase in the actual amount of media coverage of women's crime. I expected the media to devote more coverage to women's crime while coverage of men's crime would remain somewhat the same. Actually, there was increased coverage of both categories from 1970 to 1978. (See Table 2)

In looking at the amount of space devoted to reporting male or female crimes, again virtually no difference was found over the eight year period (See Table 3). This, too was not what I hypothesized. I predicted that the newspaper would find that elaborated accounts of women committing crimes would appeal to the readers. Instead, average length varied but not in any predictable way.

I next looked at headline reference to the sex of the offenders.

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During the entire time span, newspaper headlines were more likely to make reference to the sex of the offender if it was a woman than if it was a man. Out of the 100 individual articles reporting crimes committed by a woman, 66 of them contained sex-specific clues.¹ For articles focusing on men gender was indicated only 21% of the time. This pattern is generally apparent in the media -- presuming the male as the norm, and the female as the special case:

The media use language in a sexist way: when a woman or girl make the news, her sex is identified at the beginning of a story, if possible in the headline (which reveals an assumption that woman's achieving is rare). Because people are assumed to be male unless otherwise identified, the media have developed an extensive vocabulary to avoid repetition of woman. The results ("Grandmother Wins Nobel Prize"; "Blonde Hijacks Airliner") convey information that would be ludicrous if the subjects were male. (Henley and Thorne, 1975:219).

Table 3

Average Length of Article on Crime Incidents in
the Detroit Free Press (Month of May Each Year)

<u>Year</u>	<u>Woman Offenders</u> (Who Acted Alone or in Same Sex Groups)			<u>Men Offenders</u> (Who Acted Alone or in Same Sex Groups)		
	No. of Articles	No. of Sq. In.	Ave. Art. Length	No. of Articles	No. of Sq. In.	Ave. Art. Length
1970	6	109	21.8	61	1215	19.9
1971	10	151	15.1	71	1661	23.4
1972	13	366	28.2	67	2065	30.8
1973	6	72	12.0	87	1877	21.6
1974	6	129	21.5	92	1744	19.0
1975	10	233	23.3	75	1575	21.0
1976	20	503	25.2	85	1918	22.6
1977	14	414	29.6	67	1634	24.4
1978	15	347	23.1	88	2030	23.1
Overall Average	11.1		23.2	77.0		22.7

¹For example, gender was marked by names ("Patty") gender terms ("Girl kills Teacher") gender-linked roles ("Mother Refused Court Order") and relationship to the victim ("Husband Killer is Arrested").

I looked more specifically at names. Name use in the headlines was reserved for the most celebrated cases, usually during a trial. For women, with one exception, the headlines gave the first name of the woman suspect, sometimes accompanied with the last name (e.g. "Angela", "Angela Davis", although one of the headlines said "Davis"). For men, the newspaper typically gave the last name only, although last name was sometimes accompanied by the first name ("Rap Brown") and once the first name alone ("Chickie"). During the nine year period, in the month of May 19 articles out of 100 (19%) used the woman's name in the headline (6 first name only, 12 first and last name, 1 last name only); for men 29 out of 694 (4%) used names (1 first name only, 23 last name only, 5 first and last name). These language patterns have the effect of making gender more salient for female than for male offenders. They also reflect a general pattern of claiming more intimacy with women (women are more rapidly first-named in many contexts) than with men (Henley, 1977).

Another point of comparison is the type of offense committed by men and women that eventually get reported by the media. The type of offenses reported in the Detroit Free Press can be divided into three groups of categories which are comparable to the Uniform Crime Reports classifications. UCR's distinguish between violent crime (murder, forcible rape, robbery and aggravated assault), property crime (burglary, larceny, and auto theft) and all other offenses (such as embezzlement, narcotic violations, and gambling). Looking at the Detroit Free Press for May 1970-1978, I used the same groups of categories to record the most serious crime the suspect committed (for example, if a man burglarized a house and raped a woman I recorded it as a violent crime). In her discussion of the early theorists, Klein observes (1973:27):

Crime defined as masculine seems to mean violent, overt crime, whereas "ladylike" crime usually refers to sexual violations and shoplifting The economic and social reality of crime -- the fact that poor women commit crimes, and that most crimes for women are property offenses -- are overlooked.

I expected to find property offenses to be overlooked in the media as well. Table 4 below shows the comparison between FBI and newspaper accounts of the distribution of crimes in each of these categories.

Table 4

Comparison of Percentages of Total Arrests
To Crimes Reported by Media

Type of Offense	FBI Uniform Crime Reports (1976)		Newspaper Detroit Free Press (1970-1978)	
	% of Total Arrests Men	Women	% of Articles Men	Women
Violent Crimes	4.5	2.9	70	62
Property Offenses	16.9	25.7	4	1
Other (e.g. drug offenses, prostitution, etc.)	78.6	71.4	25	37
	100%	100%	100%	100%

It appears from the above table that the media overreports violent offenses; offenses primarily economically motivated (such as larceny and shoplifting) are generally overlooked for both sexes in favor of the more newsworthy items related to violence and drugs. Property offenses are the easiest to view as purely economic in motive; the attempt is made simply to acquire the money or goods in ways defined as illegitimate. Personal offenses and crimes against the public order may also be economically motivated yet such motives are more easily hidden. An example is prostitution; although it is labeled a moral offense, many argue that economic need often motivates this offense. In spite of the

fact that economic offenses predominate in terms of sheer numbers, the media as well as prominent theorists have to a large degree ignored these crimes.

V: DISCUSSION AND CRITICAL ANALYSIS

It is increasingly important that the literature which so confidently links criminality to gender roles should receive critical scrutiny.

Shover and Norland (1978:114)

In this section I would like to give such a critical scrutiny to the media presentation, as Klein did with the theorists. I question the FBI statistics, which form the basis for all claims of a rise in female criminality, and I also suggest the possibility that this rise is related to the developing construction of a social problem ("the rise in female crime").

Critical Look at the Statistical Rise of the Female Offender

Many commentators rely on the uniform crime rates as a true measure of criminal activity in a given area. These official statistics show a 102% increase in women's arrests for the period 1960-1975 compared to a 23% increase for men (See Table 1). Before viewing these figures and stating with assurance that women are or are not more criminal than men, one must look at how these statistics are compiled in order to evaluate their meaning.

FBI statistics measure those crimes cleared by arrests. Offenses cleared by arrests vary; murder is often solved and arrests are made, whereas many larcenies go unsolved. Van Vecten (1942:833-847) found, in the District of Columbia that of all the offenses known to the police only 35.7% were cleared by arrest. One can only guess whether men and

women have an equal chance of getting arrested and whether this clearance is better or worse since 1942.

It is also important to note that prior to 1960, the statistics did not differentiate between a male or a female suspect. Starting in 1960, the practice of separating the offenders by gender was encouraged as part of a program to revamp recording of statistics to make them uniform. By the late '60's almost all the agencies were separating by gender. Of course, once these agencies did separate into two categories, crimes by women showed a sharp increase (ACLU Report, 1978:1).

Another point which may, when taken into consideration, influence an interpretation of the statistics is the small absolute number of arrests of women as compared to men. "Any increase in these small numbers can produce huge -- and slightly misleading -- percentage increases. For example, an increase from 100 arrests to 101 would be a one percent increase, while an increase from one arrest to two would be a 100 percent increase" (DFP, 8/15/71:3A).

FBI statistics measure only those crimes handled by the police. If one remembers, Simon predicts that as women continue to enter white collar profession, they will commit white collar crimes (the same can be argued for men). These crimes tend to be more invisible than the street crimes the police handle. Once detected, they still fail to make police statistics because such offenses are handled by state and federal regulatory agencies.

Another important part of these statistics is the fact that it is ultimately the police who administer the law at their discretion. This leads one writer, Donald Black (1970) to suggest that official rates are not a measure of "actual" deviant behavior but of "actual" social

control operation. So, rises and declines in crime figures reflect the diligence of police in enforcing laws. Quinney (1975) also recognizes this argument but sees the crime statistics as a "mixture" of three factors: one, the incidence of criminality; two, the administration of criminal law; and three, societal pressure to report crime to the public and for the police to deal with reported crimes. For example, pressure may motivate police to crack down on prostitutes over a period of time, or to treat these women as they would male offenders. This attitude, "if it's equality these women want, we'll see that they get it" (Simon, 1975:18) would not be spoken so much in the 1960's as it would be today; it reflects a general verbal awareness of, and reaction to feminism. This "get even" attitude may account for some of the rise in crime statistics for women. Overall, "whether crime is increasing in American society is a question that can never be answered objectively without considering the politics of the time" (Quinney, 1975:23).

Klein and Kress (1976:41) similarly question whether there have been real changes in criminal activity, as opposed to law enforcement patterns:

A rise or decline in arrest rates does not necessarily indicate a rise or decline in real illegal activity. It may reflect the political situation in or growth of law enforcement circles, different organization of the data, changes in arrest categories, and altered perceptions of women offenders by the police.

Quinney (1975) suggests that crime statistics can be manipulated to reflect whatever various agencies or officials want them to. It might be to the advantage of an incumbent in an official position to use crime statistics to show that crime has decreased while s/he has been in office. It might also be to someone's interest to show that

women are rapidly entering the world of crime. The ACLU's rebuttal to Simon's work expressed concern that her argument could be used to justify not hiring women or for incarcerating more and more women. "Crime rates, therefore, are used to justify or investigate a multitude of political (including social and economic) interests" (Quinney, 1975:23).

It must be remembered that while one cannot make a case that there has been no rise at all in rates of female crime, one must critically examine the data given to us by the FBI. An open question is left as to the claims of a rise; it is not a fixed or unquestionable trend.

Social Construction of the Phenomenon of the "Rise of Women Offenders"

The assertion that crime is increasing cannot be made without statistical proof to support the claim. Questions about the validity and reliability of crime statistics cast doubt on general claims that there has been a sharp increase in rates of female crime. A self-fulfilling prophecy may be involved in media reports: belief that women criminals are more prevalent may increase the attention paid to women offenders. In the previous section it was argued that the statistics do not give conclusive proof that there has been a real increase (or at least an accurate account of an increase) in women's participation in crime. We might look at the attention given to women offenders as, in part, a construction of a social problem.

Conceptions of crime are conveyed to the general population by television, newspapers, and magazines. Media presentation of crime, whether fiction or reality, helps shape the sense of reality of viewers and/or readers.

F.J. Davis (1952) demonstrated that reports of crime in each of four Colorado newspapers varied independently of police statistics.

Later, in a public opinion poll, residents were asked to estimate the extent of crime in the state. The results of the poll indicated that popular conception of crime reproduced the newspaper's account of crime rather than the amount shown in the official statistics. The media affect our estimates of crime frequency, and our interpretation of crime in general.

The present media portrayal of the woman offender plays an important part in how the public views women offenders. In keeping with the dominant ideology, this portrayal focuses on the individual as the problem and not on structural causes. Psychological motivations and the inability of the female offender to embrace her "natural" roles are cited as reasons for the turn to crime. These same beliefs are held by academicians, the media and, one would surmise, by the general public as well.

Marcia Millman (1975:252-253) details popular beliefs about the woman offender:

The belief is that it is only men who take a serious stand against society and its conventions (at a time when such a stand may have the admirable qualities of heroic bravery, individuality, and/or loyalty to one's oppressed group). If women occasionally become socially deviant, their deviance is understood as only secondary and politically uninspired. It is derivative of their acting like a woman: falling in love (with a deviant man); being a little too out of control of their emotions (becoming mentally ill); using their sexuality exploitively but not that differently from other women (becoming a prostitute); or exhibiting some other neurotic weakness or impulsiveness common to women (as becoming a shoplifter).

This narrow portrayal (which prevailed in the media reports I examined) uses gender stereotypes to explain crime among women, but implies men commit crime rationally and even in protest against a part of society which oppresses them.

The media portrayed Patty Hearst and Angela Davis not as having commitment to a political cause but as having fallen in love with deviant men whom they then tried to please. Angela Davis' love letters were quoted in the press, implying that she was motivated or even blinded by love. The notion that women criminals may be a little out of control of their emotions is illustrated by a front page article in the Detroit Free Press (5/30/77:1A) reporting that a woman was arrested 58 times because she would not refrain from seeing a man she wanted to marry (the feeling was not mutual). Media reports about the woman who wore a see-through blouse with no bra (Newsweek, 1975:35) or the woman who refused to close her house of prostitution (DFP, 5/1/70:3A) are also anchored in stereotypes of female behavior. The idea that women offenders are impulsive is conveyed by the headlines "She tripped, He laughed, He died"; it was as simple as that impulsive action (DFP, 5/7/74:5C).

For men, headlines hardly reflected a serious stand (as suggested by Millman). Rather, headlines tended to remain strictly descriptive of the offense committed rather than offering clues to their individual nature, for example, "Murder Suspect Arrested" (DFP, 5/2/77:3A), "Campus Bomber Found Guilty" (DFP, 5/7/77:12C), and "Suburbanite Arraigned in Silver Theft" (DFP, 5/17/77:10B).

An additional stereotype has recently emerged. Adler (1975) has been instrumental in creating the popular belief that women offenders are trying to emulate men. She maintains that women are committing more violent crimes and crimes which are defined as traditionally male.

Increased interest in the woman offender, reflected in the rise of special articles, does not seem to be related to conclusive evidence

that there has been a rise in woman perpetrated crimes. In general, a crime wave's appearance in the media may or may not have any relation to actual police statistics. Mark Fishman (1978) analyses how the media construct crime waves. Fishman contends that newspeople pick up "themes" from the items that come over the police wire or teletype. His notion of themes of potential crime waves is useful: "A news theme is a unifying concept. It presents a specific new event, or a number of such events, in terms of some broader concept" (1978:534). For example, a woman who robs a bank can be used to illustrate the rise of a new breed of violent women criminals. "A news theme allows journalists to recast an incident as an instance of something" (ibid.). The presence of a theme leads to a differential reporting of some crimes over others. So the media is more apt to report violent crimes over white-collar crime simply because of its dramatic nature.

Changing crime themes can be found in media reports about Bernadine Dohrn. In 1970, she was mentioned in an article which described how radicals now dominated the FBI most wanted list. Several years later, she was used as an example of a woman who now occupied the FBI most wanted list. Dohrn's activities were related to two different crime themes, first militant radicals, then violent women. When the first theme died due, it seems, to a decline in incidents to support the theme (the decline of violent radical political activity in the early '70's) Bernadine Dohrn then became the subject of another theme at a time when others (e.g. Emily Harris, Angela Davis, and the Manson women) were also making national news and when the phenomenon of the rise of female crime was getting media attention.

Various types of media share crime themes. Newspaper and television

reporters constantly read, view, and draw ideas from their competition. The media also share wire services. This encourages a certain amount of consistency of reporting and shared perspectives. A theme becomes entrenched in the reporting of the media organizations when it appears time and again, and journalists view a certain incident as news in relationship to the theme. Fishman (1978:537) draws on Sacks' concept of "consistency rule" to describe the operation of crime themes: "every crime incident that can be seen as an instance of the theme, will be seen and reported as such." This consistency rule then allows journalists to see a particular incident as another case of women committing a violent crime rather than seeing it as an expression of anything else.

This consistency rule not only unites reporters around crime themes but also encourages readers and viewers to embrace the same explanations. "Each new use of this consistency rule reestablishes the rule" (Fishman, 1978:537). It may be that journalists and readers/viewers alike focus their attention on items which reinforce a theme or belief. A shared definition of women offenders may have been shaped in much this way. Several articles tried to interpret such women as Patty Hearst and Angela Davis as example of the new female criminal, thus helping to create a new crime theme, which was shared among news organizations. The direction of spread is unclear; it may be that "yellow sheets" were the first to develop the new crime theme and to report specific cases as instances. The eventual consequences of this is that with a large percentage of readers seeing one or more of these sources, the readers begin also to believe that there are more women committing more crime, therefore there must be truth in the general claim that there is a rise in women offenders.

Uncritical acceptance of a theme leads quickly to its spread:

At this point, when a crime theme is beginning to spread through more and more media organizations, the "reality" of the theme is confirmed for the media organizations who first reported it. They now see others using the theme. Moreover, as the theme persists, news organizations already using the theme will not hesitate to report new instances of it because these instances confirm their past news judgment that "this thing really is a type of crime happening now." Thus, each use of the theme confirms and justifies its prior uses. (Fishman, 1978:537-8)

The notion that women are increasingly involved in violent crime was spread and confirmed by increased news reporting of incidents of women committing violent crimes. Yet, as shown earlier, this trend has weak statistical confirmation, since that main evidence seems to come from the FBI statistics. In 1975 when Simon criticized claims of a rise in violent crimes by women, the crime theme did not disappear; rather the theme transformed into controversy over women's involvement in violent crime. The same is true of the other crime theme that women are involved in more crime overall.

Just as police are instrumental in producing crime statistics, they are also instrumental in producing crime waves. In most urban cities the media rely on the police wire or teletype for their supply of crime incidents. What comes over the wire reflects the crime reporting practices of the law enforcement agencies. Too many incidents occur in a day for journalists to concern themselves with, so they tend to rely on summaries from the police. The police officer who transmits particular crimes to reporters selects material that s/he might think the media would be interested in. The media are presented with an already tailored version of the previous day's criminal activity. For example, journalists are typically provided "a heavy and steady diet of street crimes" (Fishman demonstrated that robberies, burglaries, shootings, stabbings,

and other assaults compose 66% of the items coming over the wire much higher than their actual proportion of all reported crimes) (Fishman, 1978:539).

It was suggested earlier that the police may be increasingly sensitized to the idea that women commit crimes; as a result police may be arresting women more often and sending that information over the wire. Police may possibly feel the media are more interested in women's crimes -- and especially violent crimes -- because of the crime themes that are shared now by the police, media and the public.

In short, then, statistical, academic and media reports of women's crime have all undergone some alteration in the past decade. All of these reports have been influenced by traditional beliefs about the nature of women. Women offenders still pose a challenge to those traditional beliefs. Feminism may or may not resulted in any drastic changes in women's behavior; one should also explore the possibility that the women's movement has influenced beliefs and attitudes of those (e.g. police, judges) in positions to define women's behavior as deviant.

Weis (1976:19) stated that "the new female criminal seems to be a product of the collective imaginations, perhaps wishes, of misguided observers and analysts." He points out that the theme of the "new female offender" is not based on actual incidents of crime, rather the notion was created by experts on the subject. Fishman suggests that " . . . journalists have another kind of news to report: the responses of politicians, police and other officials" (1978:540). Politicians, police, and others found an arena to show their "expertise" but Weis claims incompetence and wishful thinking was aired. From the start of public attention to the phenomenon of female crime, experts abounded

in explaining women offenders. When the subject first began to frequently in the press, articles were popular arenas for officials to interpret this rather new phenomenon. Police and prison officials were often interviewed and quoted. Starting in 1972, the controversy began to center around the "true" experts, like Adler -- an Associate Professor of Criminal Justice at Rutgers and a female criminality consultant to the United Nations. One may recall the rather modest first article on the phenomenon on women offenders in the New York Times in April, 1971. This one paragraph article stated women's crimes rose 23% in Los Angeles county and a Los Angeles sheriff was quoted as saying "the liberation of modern women might have something to do with it" (NYT, 4/26/71:40A). Since 1972, this notion has turned into a large controversy.

Just as officials can contribute to a crime theme or crime wave so can officials use their powers to deny an "unwanted crime wave" (Fishman, 1978:534). An example of this may be Michigan State University officials and police who systematically refuse to acknowledge the rape and assault problem on the University campus, attempting to maintain a favorable image of the University. It is in the administration's interests to deny such allegations. In contrast, it would not be in any official's interest, such as police or federal administrators, to deny a general rise in women offenders. Those denying the relationship between the women's movement and women's crime (such as feminists and prison supervisors) are those who rather powerless to end such statements. Many women active in the movement were placed in the position of defending the claim that there was no such relationship, and these women often lacked expert status.

Fishman (1978) offers a theory of crime waves in the media. Central

to this argument is the notion of a developing theme applied to specific cases (which are interpreted as specific "instances" of the theme). Spector and Kitsuse (1977) propose a more general theory of the construction of crime waves.

The central premise of Spector and Kitsuse's argument is that social problems are not simply problematic conditions "out there" but are bound up in what people think they are. When one studies social problems, one is actually studying claims-making activities. "Thus, we define social problems as the activities of individual or groups making assertions of grievances and claims with respect to some putative condition" (Spector and Kitsuse, 1977:75). The focal concern in studying social problems is "to account for the emergence, nature, and maintenance of claims-making and responding activities" (Spector and Kitsuse, 1977:76). Claims-making lends itself to being documented and analyzed from a sociological perspective.

Like Fishman, Spector and Kitsuse focus on statements given by authorities and experts on a given subject. Such experts are often instrumental in defining a problematic situation. It is they who are more likely to attempt to call attention to a situation which they find a matter of concern, and to be able to mobilize institutions to do something about this problematic situation. So, if authorities feel that the women offender problem is getting out of hand, they then might ask the courts to take a firmer stance when dealing with women who come before the bench.

Fishman, and Spector and Kitsuse all argue that what becomes important in looking at a condition is the allegations made about it. The validity of the statements made by authorities and experts (e.g.

those who claim women's crime has increased) is difficult and often impossible to check because statistical data are also shaped by social definitions. What is important is how these statements find arenas in the press and how they are developed into themes which are reestablished, reinforced, and perpetuated whenever they are used.

In combining the ideas of Fishman, Spector and Kitsuse, one might propose the following as the general process by which the phenomenon of the rise of the woman offender was constructed. First of all, changes in police reporting of statistics accounted for the first increase in the arrests of women. Before 1960, statistics on crime committed by men and women were not kept separate. Between 1960-1970, police agencies started separating these arrest statistics into male/female categories, a separation practice which led to an increase in statistics of women arrests during these years. In the late 1960's, the women's movement became an increasingly visible force, gaining much media attention. The media publicized an increase in women's crime using the statistics provided by the police. Authorities (e.g. Adler) made claims linking the movement with the increase in crime. The theme was established and continues to reappear, changing form slightly and now encompassing a whole controversy surrounding the women's movement and women's crime. The controversy and the women's movement evoked a change in attitude among the police officials (i.e., "We'll give them equality") who then arrested more women and claimed they treat women the same way as men. The police are possibly sensitized to women offenders as a by-product of the women's movement. This results in more women being arrested. The rule is reestablished, restated and the construction of the "problem" continues.

VI: CONCLUSION

If perticular care and attention is not paid to the Laidies we are determined to foment a Rebellion, and will not hold ourselves bound by any Laws in which we have no voice, or Representation.

Abigail Adams, 1776
(Feminist Papers, 1975:10-1)

This thesis contests the notion that the women's movement has been directly responsible for the increase in women's crime. Instead the "rise of female crime" is seen as the construction of a social problem, and more specifically as a theme in the media which emerged in the last decade. I contend that the nature of the changing statistics of female crime and the media reports reflect perceived challenges to traditional beliefs about the nature of women. Strong evidence is not available to support either side but one must be skeptical and give "critical scrutiny" to those who make a confident link between the women's movement and variety and frequency of crime.

The relationship between the rise in women's crime and the women's movement is at best tenuous. The claim is based on incomplete and unreliable data. Yet, the perpetuation of this claim is a curious phenomenon. The confident assertion of a cause and effect relationship between the two must be critiqued and studied further. The myth of the "rise of the female offender" must be reexamined and seen within the political context of women in this decade. One might well begin with the claim that liberation has been achieved and women's crime is a by-product of that freedom.

It is not a coincidence that women are being incarcerated in increasing numbers and that this is happening when women in general are seeking more control of their lives. There does seem to be one demonstrable relationship the women's movement and women offenders -- more women are being carried further through the criminal justice system than they have been in the past. Claiming partial control of their life via the movement (by women most likely to benefit from the women's movement -- middle class professionals) may lead to higher more restrictive forms of being controlled (such as in state supporting institutions). Henley (1977) states that the mildest form of control will be used to maintain order. Some women are aware they are being controlled by the subtler forms of control like internalized controls or verbal and non-verbal communication. It may be that in response to their awareness, women now warrant the next stage of repressive control at an institutional level, that is increased retention in state operated institutions. It must be also noted that while the unwritten change in policy is implemented, a class privilege is evident. Hence, those in power are taking out their antagonism disproportionately on the lower class, who make up the bulk of the prison population.

A new understanding of battered women is being taught, claimed, and studied. Instead of trying to find what is wrong with individual women, many are asking about the situation in which these women find themselves. Similarly, future studies of women who commit crimes should inquire into their situations. In other words, future studies should turn their attention away from the individual and towards more structural factors. Temporary insanity was the main line of defense in the trial of a battered woman who killed her ex-husband. It was the feeling

of many of her supporters that perhaps her actions were the sign of sanity. Her response was normal given the situation. Similarly, when women commit crimes (whether such offenders are increasing or decreasing in number) it may be a normal response or a statement about their economic and political situation. This belief has been extended much more to male than to female offenders (See Millman quote p. 40).

Considering the disadvantaged economic position of women and the fact that women have had almost no representation in the making of laws in the past 200 years, one wonders why more women are not criminals. The subtle forms of control are, after all, the most effective in keeping women in place.

Some final questions need to be asked when looking at women offenders in the media. These are raised so that one might see another dark side of the women's movement. Are women offenders in the '70's being made examples? If women want to work for change of their position in society, they are shown they must do it within the limits of the law or be prepared to suffer the consequences. Is the controversy over the women's movement and crime overshadowing the fact that thousands of women are being incarcerated in the most repressive institutions in this society? (Nationally, women who are incarcerated rose from 6,329 in 1971 to 11,044 in 1977) (Correction's Magazine, 1978:14). Is an effort of this controversy to discredit the women's movement and provide an arena in the media for women to argue among themselves, thus deepening divisions and mistrust among women? Are women suspected of crimes encouraged not to turn to the feminist community because it may jeopardize their defense?

The dark side of the women's movement is not that women are

committing crimes. Women have been committing crimes for centuries. Most laws are made to protect property, which women possess less often than men. The dark side is that while some women rise with success within the system other women, many women, are falling victims to the same system.

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