

“WOMEN AS PERPETRATORS OF CRIME: BREAKING THE STEREOTYPE”

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Introduction: Shifting Perspectives on Female Criminality

For much of history, women have been viewed predominantly as victims within the criminal justice system, often seen as vulnerable or as individuals in need of protection rather than as potential offenders. This portrayal has been shaped by societal norms and gender roles that frame women as inherently nurturing and non-violent. However, in recent years, perceptions of female criminality have been shifting, reflecting a more complex and nuanced understanding of women's involvement in crime.

Statistical trends indicate a gradual increase in crimes committed by women, prompting a re-examination of the traditional stereotypes that have influenced both societal attitudes and legal frameworks. Various factors contribute to this rise, including economic pressures, social and psychological influences, and systemic inequalities. These evolving patterns compel us to explore the motivations driving female criminal behaviour and to consider whether the criminal justice system adequately addresses these nuances.

The types of crimes most frequently associated with women also warrant attention. While men continue to dominate in violent and high-profile offenses, women are increasingly involved in areas such as theft, fraud, and drug-related crimes. Additionally, the dynamics of these offenses often reveal underlying social contexts, such as experiences of abuse or coercion. Understanding these dynamics is crucial for developing fair and effective legal responses.

In analysing female criminality, we also encounter significant case law that has shaped contemporary approaches to gender and crime. The impact of these legal precedents, combined with the evolving portrayal of women

in society, highlights the complexity of female criminal behaviour. It also raises critical questions about the effectiveness of current criminal justice policies and their broader social implications.

Ultimately, this shift in perspective invites a deeper exploration of how gendered assumptions influence both the commission of crimes and the subsequent treatment of female offenders. Through this discussion, we can better understand the interplay between gender, crime, and justice, while considering how societal changes continue to reshape these relationships.

Breaking Stereotypes: Women as Offenders

The long-standing stereotype that women are inherently nurturing, compassionate, and non-violent has had a significant impact on how female offenders are perceived and treated by society. These ingrained gender norms have historically influenced societal attitudes, often leading to a biased understanding of women's roles in criminal behaviour. Women were typically seen as victims of circumstance or as passive participants, overshadowed by male accomplices who were thought to be the primary perpetrators of crimes. This traditional

view suggested that women lacked the capability or inclination to commit serious offenses on their own.

Research has revealed a range of offenses committed by women, from non-violent crimes such as theft, fraud, and embezzlement to more serious acts, including violent crimes and organized criminal activity. The motivations behind these crimes are often multifaceted. Economic hardship, past trauma, mental health issues, and abusive relationships are among the many contributing factors. In some cases, women may engage in criminal activity as a means of survival or because of coercion by partners or associates. This nuanced understanding highlights the need for a more comprehensive view of female criminality, one that moves beyond simplistic gendered stereotypes.

The criminal justice system has also begun to respond to this evolving picture. Traditionally, women who committed crimes were often either harshly punished as deviants who defied societal expectations or treated leniently under the belief that they were less dangerous and more easily rehabilitated than men. Today, there is increasing recognition that these gendered approaches can be both unfair and ineffective. Legal scholars and practitioners are advocating for a more balanced approach that considers the individual circumstances of female offenders, as well as the societal and structural factors influencing their behaviour.

Motivations Behind Female Criminal Behaviour

The factors that drive women to engage in criminal activities are often complex and different from those commonly associated with male offenders. While men may be more likely to commit crimes driven by dominance, aggression, or territorial disputes, women's motivations often stem from circumstances rooted in their social and economic realities. These distinctions have become a focal point of research, leading to a deeper understanding of

gender-specific motivations behind criminal behaviour.

One prominent factor influencing female criminality is economic necessity. Women who face financial hardship, especially those who are single mothers or caretakers, may turn to crime as a means of providing for their families. This "survival crime" reflects the challenges women encounter in securing stable employment or receiving adequate social support, often pushing them toward illegal activities such as theft, fraud, or sex work. The link between poverty and

Psychological distress and trauma are further contributing factors. Many women who commit crimes have experienced significant trauma in their lives, including physical, emotional, or sexual abuse. These experiences can lead to mental health challenges, such as depression, anxiety, or post-traumatic stress disorder (PTSD), which may influence decision-making and increase the likelihood of criminal behaviour. This link between trauma and crime is particularly relevant in cases where emotional distress is a driving force behind impulsive or violent actions.

The recognition of these gender-specific motivations is evident in case law that has shaped how female offenders are perceived and treated.

Rattan Singh v. State of Punjab (1957). In this case, the Supreme Court of India examined the issue of self-defence in the context of a woman who was being assaulted by her husband. Rattan Singh, the appellant, was a woman who had been subjected to years of abuse by her husband. In a fit of anger and to protect herself from further assault, Rattan Singh killed her husband in self-defence. She had been consistently beaten and subjected to cruelty, and the act of violence was her reaction to years of abuse. The central issue in the case was whether the killing of the husband in these circumstances could be considered as an act of self-defence.

Types of Crimes Commonly Committed by Women

Statistical studies reveal a pattern in the types of crimes women are more likely to commit, with a higher prevalence of non-violent offenses compared to their male counterparts. Crimes such as theft, embezzlement, and fraud are particularly common among female offenders. These offenses often stem from socioeconomic challenges, such as financial desperation or the need to support dependents, and they highlight the structural issues that disproportionately impact women, such as wage inequality and limited job opportunities.

Theft and property crimes are frequently committed by women as a means of economic survival. Shoplifting, for example, is a crime often linked to immediate financial stress or the inability to meet basic needs. Similarly, embezzlement cases typically involve women who, finding themselves in positions of financial trust within their workplaces, resort to misappropriating funds to cope with personal or familial financial crises. Fraud, another common offense, may involve activities like welfare fraud or identity theft, often driven by the pressure to make ends meet or to escape crippling debt.

Understanding the types of crimes women commit and the circumstances surrounding them reveals how social, economic, and psychological factors are deeply intertwined with female criminal behaviour. This recognition helps inform better legal frameworks and supportive interventions that address the underlying causes, rather than merely punishing the symptoms, of women's criminality.

The Role of Abuse and Trauma in Female Offending

Domestic violence, coercion, and trauma are critical factors that influence many women's involvement in criminal activities. These experiences often shape the pathways leading women into crime, and the criminal justice

system has increasingly recognized the need to account for these circumstances. Historically, women who committed crimes after enduring years of abuse or trauma often faced harsh penalties, with little acknowledgment of the impact that such experiences had on their actions. However, evolving legal and societal awareness has prompted reforms that address the role of abuse and trauma more empathetically.

Domestic violence is a common thread in the narratives of many female offenders. Women who have been subjected to long-term physical, emotional, or sexual abuse may commit crimes as a direct response to their victimization. For instance, some women resort to violence against their abusers in situations where they perceive no other way to escape the cycle of violence. In these cases, the psychological effects of abuse, including fear, desperation, and a sense of entrapment, are key elements in understanding why they acted as they did.

Comparing Female and Male Criminal Patterns

When examining the criminal behaviours of women and men, clear distinctions emerge in the types of crimes they commit, the underlying causes of their offending, and the legal treatment they receive. Statistically, men are far more likely to engage in violent crimes, such as murder, robbery, and assault. These offenses often align with aggression, territorial disputes, or power dynamics, which are generally more prevalent in male socialization and gender expectations. In contrast, female offenders tend to commit non-violent crimes more frequently, with theft, fraud, and drug-related offenses being among the most common. Women's criminal behaviour is often driven by social, economic, and relational vulnerabilities, such as financial hardship, abusive relationships, and limited access to resources or opportunities.

The disparity in crime patterns between genders is linked to broader societal

expectations. Men are typically socialized to be assertive and dominant, which can manifest in violent or confrontational behaviours. Women, on the other hand, are often expected to conform to more passive, nurturing roles, which makes their involvement in violent crime less common. However, when women do commit violent offenses, these acts are frequently tied to self-defence in abusive situations or emotional distress from trauma and victimization.

This contradiction in legal treatment reflects the tension between gender stereotypes and the realities of criminal behaviour. The courts' challenge lies in applying a consistent approach to sentencing that recognizes the underlying factors contributing to female criminality—such as trauma, poverty, or coercion—while ensuring that the application of justice does not unfairly benefit, or harm women based solely on their gender.

Media Representation of Female Criminals

The media plays a significant role in influencing public perceptions of female criminals, often shaping how society views women who commit crimes. In many cases, female offenders are portrayed in a sensationalized manner, with a heavy emphasis on their perceived deviance from traditional gender norms. The media tends to highlight the stark contrast between societal expectations of women as nurturing, passive figures and the reality of women engaging in criminal behaviour. This portrayal can amplify public fascination, as female criminals are often depicted as aberrations, challenging deeply ingrained stereotypes about femininity.

One of the most notable aspects of media representation is the tendency to focus on high-profile cases, where the media sensationalizes the details of the crime and the personal lives of the offenders. These cases, especially those involving violent crimes, often dominate news cycles and are presented in a way that amplifies the shock value of a woman committing such an act. Women who commit

violent offenses are frequently framed as emotionally unstable, manipulative, or monstrous, reinforcing the stereotype that women are not supposed to be violent. This portrayal contrasts sharply with the more common narrative of men being more naturally inclined toward aggression and criminality.

The trial of Jodi Arias for the 2008 murder of her ex-boyfriend, Travis Alexander, serves as a prime example of how media narratives can shape public opinion and even influence court proceedings. Arias, who was convicted of murdering Alexander in a brutal and premeditated attack, became the subject of intense media scrutiny. The media relentlessly covered her trial, focusing on her background, her emotional state, and the details of the crime in a way that portrayed her as both a victim of her circumstances and a cold-blooded killer. The media's portrayal of Arias as a manipulative woman who seduced and then violently murdered her ex-lover played into long-standing stereotypes of women as deceitful or emotionally unbalanced. This sensationalized coverage created a narrative that oversimplified the complexities of her motives and her mental state.

Gender Bias in the Criminal Justice System

Gender bias remains a persistent and contentious issue within the criminal justice system, influencing the treatment of both female and male offenders. The ways in which gender biases manifest in legal proceedings are complex and often contradictory, with some arguing that women benefit from preferential treatment, while others contend that they face unique forms of discrimination. The challenge lies in how gender norms and stereotypes shape judicial outcomes, from arrest and sentencing to parole and rehabilitation.

On one hand, some studies suggest that women may receive more lenient treatment, particularly when their criminal behaviour is viewed through the lens of traditional gender roles. In cases where women are seen as

primary caregivers or nurturing figures, judges may be more inclined to offer lighter sentences or alternative punishments, such as probation or rehabilitation programs, rather than incarceration. This leniency is often tied to the perception that women are inherently less dangerous than men, and that their criminal actions are anomalies rather than a reflection of criminal intent. Such treatment can be viewed as a form of gender-based favoritism, where societal expectations of femininity – such as nurturing or caregiving roles – influence legal outcomes.

Rehabilitation and Reintegration of Female Offenders

The rehabilitation and reintegration of female offenders present distinct challenges within the criminal justice system, primarily due to the unique social, emotional, and familial roles that women often occupy. Unlike their male counterparts, many women in prison are also primary caregivers, a role that significantly influences their experiences within the correctional system. The disruption of their family lives, particularly the separation from their children, can lead to profound psychological and emotional distress, which complicates their rehabilitation process. Additionally, many women in prison have faced significant histories of trauma, including physical and sexual abuse, domestic violence, and economic hardship, which can exacerbate mental health issues and substance abuse problems. Addressing these gender-specific needs is critical for creating effective rehabilitation programs that support both the recovery and successful reintegration of female offenders into society.

Gender-responsive programs that focus on the particular challenges women face are essential in providing effective rehabilitation. Such programs acknowledge that female offenders often have different pathways to crime than men, and as a result, their rehabilitation needs to address the root causes of their offending behaviour. Substance abuse, mental health

issues, and trauma-related disorders are disproportionately prevalent among women in prison, making it essential for rehabilitation efforts to be tailored to address these underlying conditions. Therapy and counselling programs that focus on trauma recovery, including cognitive-behavioural therapy (CBT) and trauma-informed care, can be effective in helping women cope with the psychological scars of abuse and reduce the likelihood of reoffending.

Moreover, many women in prison are mothers, and the loss of custody over their children is often a significant source of emotional pain and guilt. Parenting programs within correctional facilities can play a key role in supporting women by teaching them effective parenting skills and providing opportunities for bonding with their children, even during incarceration. These programs can help prepare women for their eventual reintegration into their families and communities, promoting healthier family dynamics and reducing the likelihood of intergenerational incarceration.

Collaborative Efforts for Holistic Approaches

Finally, the criminal justice system must encourage collaborative efforts between lawmakers, social workers, psychologists, and other professionals to develop holistic approaches to female offenders. Lawmakers must work alongside mental health professionals, social workers, and advocates to create policies that not only reduce recidivism but also improve the quality of life for female offenders both during and after their incarceration. Collaboration can lead to the development of more integrated, person-centered systems that address the broad spectrum of challenges women face, from mental health issues to societal stigmatization and economic instability.

Additionally, creating gender-responsive diversion programs can provide alternative forms of justice for women who are involved in non-violent offenses, such as drug offenses or

theft. These programs can offer women the chance to participate in counselling, education, and job training without subjecting them to the negative impacts of incarceration, which is often a counterproductive approach, particularly for those who are non-violent or who have committed crimes due to personal circumstances rather than criminal intent.

Future Directions: Shifting the Paradigm

In the future, the criminal justice system must evolve to recognize that women's criminal behaviour is shaped by a variety of interconnected factors, many of which are tied to gender-specific experiences of victimization, trauma, and social inequality. By implementing policies that reflect a deeper understanding of these unique challenges, society can move toward a more compassionate and effective criminal justice system that supports women in their rehabilitation and reintegration. The focus should be on rehabilitation over punitive measures, and on addressing the root causes of criminal behaviour through preventative, supportive, and restorative approaches.

Reforming the criminal justice system to be more inclusive and responsive to the needs of female offenders requires bold, comprehensive changes at both the legislative and institutional levels. These changes must be guided by a commitment to equity, ensuring that women, like men, are given fair opportunities for rehabilitation and reintegration into society.

Conclusion

The increasing recognition of women as perpetrators of crime represents a significant shift in societal perceptions, challenging long-held norms about gender and criminality. Historically, women have been viewed primarily as victims of crime or secondary actors, often relegated to supporting roles within criminal activity. However, the growing awareness of women's direct involvement in crime, particularly in recent years, underscores the importance of reevaluating the gendered assumptions embedded within the legal

system. Women's criminality, driven by a combination of socio-economic, psychological, and environmental factors, calls for a more nuanced approach to justice—one that considers the complex realities of female offenders and their unique needs.

Understanding the specific factors that contribute to female criminal behaviour is essential for developing effective legal responses. For many women, crime is not merely a matter of choice but is often shaped by trauma, abuse, economic hardship, and societal pressures. From domestic violence to substance abuse and poverty, these issues disproportionately affect women and are key drivers behind their involvement in criminal activities. As a result, the criminal justice system must be responsive to these gender-specific influences, recognizing that the pathways to crime for women are often distinct from those of men. Acknowledging this difference is critical in ensuring that the legal system can treat women fairly and equitably, without resorting to generalized assumptions about gender and criminality.

Moreover, it is crucial that legal responses are not only fair but also informed by an understanding of the broader societal dynamics at play. Gender dynamics, including the power imbalances that often shape women's interactions with the law, must be considered when determining guilt, sentencing, and rehabilitation. The criminal justice system must evolve to meet the challenges posed by female offenders, providing gender-responsive rehabilitation programs and support systems that address underlying issues such as trauma, mental health, and economic vulnerability. The goal should be not simply to punish women for their crimes, but to offer opportunities for rehabilitation and reintegration into society, breaking the cycle of crime that many women find themselves trapped in due to systemic inequalities.

By embracing a more inclusive and gender-responsive approach, the legal system can



move toward a future where all individuals, regardless of gender, receive just treatment, and where the path to rehabilitation is accessible and effective for everyone. In doing so, society can take a significant step toward reducing recidivism, promoting equality, and fostering a more humane criminal justice system.

