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Source: *Issues in Criminology*, FALL 1973, Vol. 8, No. 2, WOMEN, CRIME AND CRIMINOLOGY (FALL 1973), pp. 3-30

Published by: Social Justice/Global Options

Stable URL: <http://www.jstor.com/stable/42909683>

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**The Etiology of Female Crime:
A Review of the Literature***

Dorie Klein**

I. INTRODUCTION

The criminality of women has long been a neglected subject area of criminology. Many explanations have been advanced for this, such as women's low official rate of crime and delinquency and the preponderance of male theorists in the field. Female criminality has often ended up as a footnote to works on men that purport to be works on criminality in general.

There has been, however, a small group of writings specifically concerned with women and crime. This paper will explore those works concerned with the etiology of female crime and delinquency, beginning with the turn-of-the-century writing of Lombroso and extending to the present. Writers selected to be included have been chosen either for their influence on the field, such as Lombroso, Thomas, Freud, Davis and Pollak, or because they are representative of the kinds of work being published, such as Konopka, Vedder and Somerville, and Cowie, Cowie and Slater. The emphasis is on the continuity between these works, because it is clear that, despite recognizable differences in analytical approaches and specific theories, the authors represent a tradition to a great extent. It is important to understand, therefore, the shared assumptions made by the writers that are used in laying the groundwork for their theories.

*I wish to acknowledge the major contributions made by the Women's Caucus of the School of Criminology, University of California, Berkeley.

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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 a *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.

Since criminality is seen as an individual activity, rather than as a condition built into existing structures, the focus is on biological, psychological and social factors that would turn a woman toward criminal activity. To do this, the writers create two distinct classes of women: good women who are "normal" noncriminals, and bad women who are criminals, thus taking a moral position that often masquerades as a scientific distinction. The writers, although they may be biological or social determinists to varying degrees, assume that individuals have *choices* between criminal and noncriminal activity. They see persons as atomistically moving about in a social and political vacuum; many writers use marketplace models for human interaction.

Although the theorists may differ on specific remedies for individual criminality, ranging from sterilization to psychoanalysis (but always stopping far short of social change), the basic thrust is toward *individual adjustment*, whether it be physical or mental, and the frequent model is rehabilitative therapy. Widespread environmental alterations are usually included as casual footnotes to specific plans for individual therapy. Most of the writers are concerned with *social harmony* and the welfare of the existing social structure rather than with the women involved or with women's position in general. None of the writers come from anything near a "feminist" or "radical" perspective.

In *The Female Offender*, originally published in 1903, Lombroso described female criminality as an inherent tendency produced in individuals that could be regarded as biological atavisms, similar to cranial and facial features, and one could expect a withering away of crime if the atavistic people were prohibited from breeding. At this time criminality was widely regarded as a physical ailment, like epilepsy. Today, Cowie, Cowie and Slater (1968) have identified physical traits in girls who have been classified as delinquent, and have concluded that certain traits, such as bigness, may lead to aggressiveness. This theme of physiological characteristics has been developed by a good number of writers in the last seventy years, such as the Gluecks (1934). One sees at the present time a new surge of "biological" theories of criminality; for example, a study involving "violence-prone" women and menstrual cycles has recently been proposed at UCLA.¹

Thomas, to a certain degree, and Freud extend the physiological explanation of criminality to propose a psychological theory. However, it is critical to understand that these psychological notions are based on assumptions of universal *physiological* traits of women, such as their reproductive instinct and passivity, that are seen as invariably producing certain psychological reactions. Women may be viewed as turning to crime as a *perversion of or rebellion against* their *natural feminine roles*. Whether their problems are biological, psychological or social-environmental, the point is always to return them to their roles. Thomas (1907; 1923), for example, points out that poverty might prevent a woman from marrying, whereby she would turn to prostitution as an alternative to carry on her feminine service role. In fact, Davis (1961) discusses prostitution as a parallel illegal institution to marriage. Pollak (1950) discusses how women extend their service roles into criminal activity due to inherent tendencies such as deceitfulness. Freud (1933; Jones, 1961) sees any kind of rebellion as the result of a failure to develop healthy feminine attitudes, such as narcissism, and Konopka (1966) and Vedder and Somerville (1970) apply Freudian thought to the problem of female delinquency.

The specific characteristics ascribed to women's nature and those critical to theories of female criminality are uniformly *sexual* in their nature. Sexuality is seen as the root of female behavior and the problem of crime. Women are defined as sexual beings, as sexual capital in many cases, physiologically, psychologically and socially. This definition *reflects and reinforces* the economic position of women as reproductive and domestic workers. It is mirrored in the laws themselves and in their enforcement, which penalize sexual deviations for women and may be more lenient with economic offenses committed by them, in contrast to the treatment given men. The theorists accept the sexual double standard inherent in the law, often noting that "chivalry" protects women, and many of them build notions of the universality of *sex repression* into their explanations of women's position. Women are thus the sexual backbone of civilization.

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 assumptions of women's nature, specifically their sexuality, to justify what is often in reality merely a defense of the existing order. Lombroso, Thomas and Freud consider the upper-class white woman to be the highest expression of femininity, although she is inferior to the upper-class white man. These standards are adopted by later writers in discussing femininity. To most theorists, women are inherently inferior to men at masculine tasks such

as thought and production, and therefore it is logical that their sphere should be reproductive.

Specific characteristics are proposed to bolster this sexual ideology, expressed for example by Freud, such as passivity, emotionalism, narcissism and deceitfulness. In the discussions of criminality, certain theorists, such as Pollak, link female criminality to these traits. Others see criminality as an attempt away from femininity into masculinity, such as Lombroso, although the specifics are often confused. Contradictions can be clearly seen, which are explained by the dual nature of "good" and "bad" women and by the fact that this is a mythology attempting to explain real behavior. Many explanations of what are obviously economically motivated offenses, such as prostitution and shoplifting, are explained in sexual terms, such as prostitution being promiscuity, and shoplifting being "kleptomania" caused by women's inexplicable mental cycles tied to menstruation. Different explanations have to be made for "masculine" crimes, *e.g.*, burglary, and for "feminine" crimes, *e.g.*, shoplifting. Although this distinction crops up consistently, the specifics differ wildly.

The problem is complicated by the lack of knowledge of the epidemiology of female crime, which allows such ideas as "hidden crime," first expressed by Pollak (1950), to take root. The problem must be considered on two levels: women, having been confined to certain tasks and socialized in certain ways, are *in fact* more likely to commit crime related to their lives which are sexually oriented; yet even nonsexual offenses are *explained* in sexual terms by the theorists. The writers ignore the problems of poor and Third World women, concentrating on affluent white standards of femininity. The experiences of these overlooked women, who *in fact* constitute a good percentage of women caught up in the criminal justice system, negate the notions of sexually motivated crime. These women have real economic needs which are not being met, and in many cases engage in illegal activities as a viable economic alternative. Furthermore, chivalry has never been extended to them.

The writers largely ignore the problems of sexism, racism and class, thus their work is sexist, racist and classist in its implications. Their concern is adjustment of the woman to society, not social change. Hence, they represent a tradition in criminology and carry along a host of assumptions about women and humanity in general. It is important to explore these assumptions and traditions in depth in order to understand what kinds of myths have been propagated around women and crime. The discussions of each writer or writers will focus on these assumptions and their relevance to criminological theories. These

assumptions of universal, biological/psychological characteristics, of individual responsibility for crime, of the necessity for maintaining social harmony, and of the benevolence of the state link different theories along a continuum, transcending political labels and minor divergences. The road from Lombroso to the present is surprisingly straight.

II. LOMBROSO: "THERE MUST BE SOME ANOMALY. . . ."

Lombroso's work on female criminality (1920) is important to consider today despite the fact that his methodology and conclusions have long been successfully discredited. Later writings on female crime by Thomas, Davis, Pollak and others use more sophisticated methodologies and may proffer more palatable liberal theories. However, to varying degrees they rely on those sexual ideologies based on *implicit* assumptions about the physiological and psychological nature of women that are *explicit* in Lombroso's work. Reading the work helps to achieve a better understanding of what kinds of myths have been developed for women in general and for female crime and deviance in particular.

One specific notion of women offered by Lombroso is women's physiological immobility and psychological passivity, later elaborated by Thomas, Freud and other writers. Another ascribed characteristic is the Lombrosian notion of women's adaptability to surroundings and their capacity for survival as being superior to that of men. A third idea discussed by Lombroso is women's amorality: they are cold and calculating. 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 a penis on men; and by Pollak (1950), who depicts women as inherently deceitful.

When one looks at these specific traits, one sees contradictions. The myth of compassionate women clashes with their reputed coldness; their frailness belies their capacity to survive. One possible explanation for these contradictions is the duality of sexual ideology with regard to "good" and "bad" women.² Bad women are whores, driven by lust for money or for men, often essentially "*masculine*" in their orientation, and perhaps afflicted with a touch of penis envy. Good women are chaste, "*feminine*," and usually not prone to criminal activity. But when they are, they commit crime in a most *ladylike* way such as poisoning. In more sophisticated theory, all women are seen as having a bit of both tendencies in them. Therefore, women can be compassionate *and* cold, frail *and* sturdy, pious *and* amoral, depending on which

path they choose to follow. They are seen as rational (although they are irrational, too!), atomistic individuals making choices in a vacuum, prompted only by personal, physiological/psychological factors. These choices relate only to the *sexual* sphere. Women have no place in any other sphere. Men, on the other hand, are not held sexually accountable, although, as Thomas notes (1907), they are held responsible in *economic* matters. Men's sexual freedom is justified by the myth of masculine, irresistible sex urges. This myth, still worshipped today, is frequently offered as a rationalization for the existence of prostitution and the double standard. As Davis maintains, this necessitates the parallel existence of classes of "good" and "bad" women.

These dual moralities for the sexes are outgrowths of the economic, political and social *realities* for men and women. Women are primarily workers within the family, a critical institution of reproduction and socialization that services such basic needs as food and shelter. Laws and codes of behavior for women thus attempt to maintain the smooth functioning of women in that role, which requires that women act as a conservative force in the continuation of the nuclear family. Women's main tasks are sexual, and the law embodies sexual limitations for women, which do not exist for men, such as the prohibition of promiscuity for girls. This explains why theorists of female criminality are not only concerned with sexual violations by female offenders, but attempt to account for even *nonsexual* offenses, such as prostitution, in sexual terms, *e.g.*, women enter prostitution for sex rather than for money. Such women are not only economic offenders but are sexual deviants, falling neatly into the category of "bad" women.

The works of Lombroso, particularly *The Female Offender* (1920), are a foremost example of the biological explanation of crime. Lombroso deals with crime as an atavism, or survival of "primitive" traits in individuals, particularly those of the female and nonwhite races. He theorizes that individuals develop differentially within sexual and racial limitations which differ hierarchically from the most highly developed, the white men, to the most primitive, the nonwhite women. Beginning with the assumption that criminals must be atavistic, he spends a good deal of time comparing the crania, moles, heights, etc. of convicted criminals and prostitutes with those of normal women. Any trait that he finds to be more common in the "criminal" group is pronounced an atavistic trait, such as moles, dark hair, etc., and women with a number of these telltale traits could be regarded as potentially criminal, since they are of the atavistic type. He specifically rejects the idea that some of these traits, for example obesity in prostitutes, could be the *result* of their activities rather than an indicator of their propen-

sity to them. Many of the traits depicted as “anomalies,” such as darkness and shortness, are characteristic of certain racial groups, such as the Sicilians, who undoubtedly comprise an oppressed group within Italy and form a large part of the imprisoned population.

Lombroso traces an overall pattern of evolution in the human species that accounts for the uneven development of groups: the white and nonwhite races, males and females, adults and children. Women, children and nonwhites share many traits in common. There are fewer variations in their mental capacities: “even the female criminal is monotonous and uniform compared with her male companion, just as in general woman is inferior to man” (*Ibid.*:122), due to her being “atavistically nearer to her origin than the male” (*Ibid.*:107). The notion of women’s mediocrity, or limited range of mental possibilities, is a recurrent one in the writings of the twentieth century. Thomas and others note that women comprise “fewer geniuses, fewer lunatics and fewer morons” (Thomas, 1907:45); lacking the imagination to be at either end of the spectrum, they are conformist and dull . . . not due to social, political or economic constraints on their activities, but because of their innate physiological limitations as a sex. Lombroso attributes the lower female rate of criminality to their having fewer anomalies, which is one aspect of their closeness to the lower forms of less differentiated life.

Related characteristics of women are their passivity and conservatism. Lombroso admits that women’s traditional sex roles in the family bind them to a more sedentary life. However, he insists that women’s passivity can be directly traced to the “immobility of the ovule compared with the zoosperm” (1920:109), falling back on the sexual act in an interesting anticipation of Freud.

Women, like the lower races, have greater powers of endurance and resistance to mental and physical pain than men. Lombroso states: “denizens of female prisoners . . . have reached the age of 90, having lived within those walls since they were 29 without any grave injury to health” (*Ibid.*:125). Denying the humanity of women by denying their capability for suffering justifies exploitation of women’s energies by arguing for their suitability to hardship. Lombroso remarks that “a duchess can adapt herself to new surroundings and become a washerwoman much more easily than a man can transform himself under analogous conditions” (*Ibid.*:272). The theme of women’s adaptability to physical and social surroundings, which are male initiated, male controlled, and often expressed by saying that women are actually the “stronger” sex, is a persistent thread in writings on women.

Lombroso explains that because women are unable to feel pain, they are insensitive to the pain of others and lack moral refinement. His blunt denial of the age-old myth of women's compassion and sensitivity is modified, however, to take into account women's low crime rate:

Women have many traits in common with children; that their moral sense is deficient; that they are revengeful, jealous . . . In ordinary cases these defects are neutralized by piety, maternity, want of passion, sexual coldness, weakness and an undeveloped intelligence (*Ibid.*:151).

Although women lack the higher sensibilities of men, they are thus restrained from criminal activity in most cases by lack of intelligence and passion, qualities which *criminal* women possess as well as all *men*. Within this framework of biological limits of women's nature, the female offender is characterized as *masculine* whereas the normal woman is *feminine*. The anomalies of skull, physiognomy and brain capacity of female criminals, according to Lombroso, more closely approximate that of the man, normal or criminal, than they do those of the normal woman; the female offender often has a "virile cranium" and considerable body hair. Masculinity in women is an anomaly itself, rather than a sign of development, however. A related notion is developed by Thomas, who notes that in "civilized" nations the sexes are more physically different.

What we look for most in the female is femininity, and when we find the opposite in her, we must conclude as a rule that there must be some anomaly . . . Virility was one of the special features of the savage woman . . . In the portraits of Red Indian and Negro beauties, whom it is difficult to recognize for women, so huge are their jaws and cheekbones, so hard and coarse their features, and the same is often the case in their crania and brains (*Ibid.*:112).

The more highly developed races would therefore have the most feminized women with the requisite passivity, lack of passion, etc. This is a *racist* and *classist* definition of femininity—just as are almost all theories of *femininity* and as, indeed, is the thing itself. The ideal of the lady can only exist in a society built on the exploitation of labor to maintain the woman of leisure who can *be* that ideal lady.

Finally, Lombroso notes women's lack of *property sense*, which contributes to their criminality.

In their eyes theft is . . . an audacity for which account compensation is due to the owner . . . as an individual rather than a social crime, just as it was regarded in the primitive periods of human evolution and is still regarded by many uncivilized nations (*Ibid.*:217).

One may question this statement on several levels. Can it be assumed to have any validity at all, or is it false that women have a different sense of property than men? If it is valid to a degree, is it related to women's lack of property ownership and nonparticipation in the accumulation of capitalist wealth? Indeed, as Thomas (1907) points out, women are considered property themselves. At any rate, it is an interesting point in Lombroso's book that has only been touched on by later writers, and always in a manner supportive of the institution of private property.

III. THOMAS: "THE STIMULATION SHE CRAVES"

The works of W. I. Thomas are critical in that they mark a transition from purely physiological explanations such as Lombroso's to more sophisticated theories that embrace physiological, psychological and social-structural factors. However, even the most sophisticated explanations of female crime rely on implicit assumptions about the *biological* nature of women. In Thomas' *Sex and Society* (1907) and *The Unadjusted Girl* (1923), there are important contradictions in the two approaches that are representative of the movements during that period between publication dates: a departure from biological Social-Darwinian theories to complex analyses of the interaction between society and the individual, *i.e.*, societal repression and manipulation of the "natural" wishes of persons.

In *Sex and Society* (1907), Thomas poses basic biological differences between the sexes as his starting point. 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. Here Thomas is offering his own version of the age-old male/female dichotomy expressed by Lombroso and elaborated on in Freud's paradigm, in the structural-functionalist "instrumental-expressive" duality, and in other analyses of the status quo. According to Thomas, the dichotomy is most highly developed in the more civilized races, due to the greater differentiation of sex roles. This statement ignores the 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.

The cause of women's relative decline in stature in more "civilized" countries is a subject on which Thomas is ambivalent. At one point he attributes it to the lack of "a superior fitness on the motor side" in women (*Ibid.*:94); at another point, he regards her loss of

sexual freedom as critical, with the coming of monogamy and her confinement to sexual tasks such as wifehood and motherhood. He perceptively notes:

Women were still further degraded by the development of property and its control by man, together with the habit of treating her as a piece of property, whose value was enhanced if its purity was assured (*Ibid.*: 297).

However, Thomas' underlying assumptions in his explanations of the inferior status of women are *physiological* ones. He attributes to men high amounts of sexual energy, which lead them to pursue women for their sex, and he attributes to women maternal feelings devoid of sexuality, which lead *them* to exchange sex for domesticity. Thus monogamy, with chastity for women, is the *accommodation* of these basic urges, and women are domesticated while men assume leadership, in a true market exchange.

Why, then, does Thomas see problems in the position of women? It is because modern women are plagued by "irregularity, pettiness, ill health and inserviceableness" (*Ibid.*:245). Change is required to maintain *social harmony*, apart from considerations of women's needs, and women must be educated to make them better wives, a theme reiterated throughout this century by "liberals" on the subject. Correctly anticipating a threat, Thomas urges that change be made to stabilize the family, and warns that "no civilization can remain the highest if another civilization adds to the intelligence of its men the intelligence of its women" (*Ibid.*:314). Thomas is motivated by considerations of social integration. Of course, one might question how women are to be able to contribute much if they are indeed anabolic. However, due to the transitional nature of Thomas' work, there are immense contradictions in his writing.

Many of Thomas' specific assertions about the nature of women are indistinguishable from Lombroso's; they both delineate a biological hierarchy along race and sex lines.

Man has, in short, become more somatically specialized an animal than women, and feels more keenly any disturbance of normal conditions with which he has not the same physiological surplus as woman with which to meet the disturbance . . . It is a logical fact, however, that the lower human races, the lower classes of society, women and children show something of the same quality in their superior tolerance of surgical disease (*Ibid.*:36).

Like Lombroso, Thomas is crediting women with superior capabilities of survival because they are further down the scale in terms of evolu-

tion. It is significant that Thomas includes the lower classes in his observation; is he implying that the lower classes are in their position *because* of their natural unfitness, or perhaps that their *situation* renders them less sensitive to pain? At different times, Thomas implies both. Furthermore, he agrees with Lombroso that women are more nearly uniform than men, and says that they have a smaller percentage of "genius, insanity and idiocy" (*Ibid.*:45) than men, as well as fewer creative outbursts of energy.

Dealing with female criminality in *Sex and Society* (1907), Thomas begins to address the issue of morality, which he closely links to legality from a standpoint of maintaining social order. He discriminates between male and female morality:

Morality as applied to men has a larger element of the contractual, representing the adjustment of his activities to those of society at large, or more particularly to the activities of the male members of society; while the morality which we think of in connection with women shows less of the contractual and more of the personal, representing her adjustment to men, more particularly the adjustment of her person to men (*Ibid.*:172).

Whereas Lombroso barely observes women's lack of participation in the institution of private property, Thomas' perception is more profound. He points out that women *are* property of men and that their conduct is subject to 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 of experience. It is preeminently an adult and male system, 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 woman 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.*: 234).

Disregarding his remarks about intelligence, one confronts the critical point about women with respect to the law: because they occupy a *marginal* position in the productive sphere of exchange commodities outside the home, they in turn occupy a marginal position in regard to "contractual" law which regulates relations of property and production. The argument of differential treatment of men and women by the law is developed in later works by Pollak and others, who attribute it to the "chivalry" of the system which is lenient to women committing offenses. As Thomas notes, however, women are simply not a serious *threat* to property, and are treated more "leniently" because of this.

Certain women do become threats by transcending (or by being denied) their traditional role, particularly many Third World women and political rebels, and they are *not* afforded chivalrous treatment! In fact, chivalry is reserved for the women who are least likely to ever come in contact with the criminal justice system: the ladies, or white middle-class women. In matters of *sexual* conduct, however, which embody the double standard, women are rigorously prosecuted by the law. As Thomas understands, this is the sphere in which women's functions *are* critical. Thus it is not a matter of "chivalry" how one is handled, but of different forms and thrusts of social control applied to men and women. Men are engaged in productive tasks and their activities in this area *are* strictly curtailed.

In *The Unadjusted Girl* (1923), Thomas deals with female delinquency as a "normal" response under certain social conditions, using assumptions about the nature of women which he leaves unarticulated in this work. Driven by basic "wishes," an individual is controlled by society in her activities through institutional transmission of codes and mores. Depending on how they are manipulated, wishes can be made to serve social or antisocial ends. Thomas stresses the institutions that socialize, such as the family, giving people certain "definitions of the situation." He confidently—and defiantly—asserts:

There is no individual energy, no unrest, no type of wish, which cannot be sublimated and made socially useful. From this standpoint, the problem is not the right of society to protect itself from the disorderly and antisocial person, but the right of the disorderly and antisocial person to be made orderly and socially valuable . . . The problem of society is to produce the right attitudes in its members (*Ibid.*:232-233).

This is an important shift in perspective, from the traditional libertarian view of protecting society by punishing transgressors, to the *rehabilitative* and *preventive* perspective of crime control that seeks to control *minds* through socialization rather than to merely control behavior through punishment. The autonomy of the individual to choose is seen as the product of his environment which the state can alter. This is an important refutation of the Lombrosian biological perspective, which maintains that there are crime-prone individuals who must be locked up, sterilized or otherwise incapacitated. Today, one can see an amalgamation of the two perspectives in new theories of "behavior control" that use tactics such as conditioning and brain surgery, combining biological and environmental viewpoints.³

Thomas proposes the manipulation of individuals through institutions to prevent antisocial attitudes, and maintains that there is no

such person as the "crime prone" individual. A hegemonic system of belief can be imposed by sublimating natural urges and by correcting the poor socialization of slum families. In this perspective, the *definition* of the situation rather than the situation *itself* is what should be changed; a situation is what someone *thinks* it is. The response to a criminal woman who is dissatisfied with her conventional sexual roles is to change not the roles, which would mean widespread social transformations, but to change her attitudes. This concept of civilization as repressive and the need to adjust is later refined by Freud.

Middle class women, according to Thomas, commit little crime because they are socialized to sublimate their natural desires and to behave well, treasuring their chastity as an investment. The poor woman, however, "is not immoral, because this implies a loss of morality, but amoral" (*Ibid.*:98). Poor women are not objectively driven to crime; they long for it. Delinquent girls are motivated by the desire for excitement or "new experience," and forget the repressive urge of "security." However, these desires are well within Thomas' conception of *femininity*: delinquents are not rebelling against womanhood, as Lombroso suggests, but merely acting it out illegally. Davis and Pollak agree with this notion that delinquent women are not "different" from nondelinquent women.

Thomas maintains that it is not sexual desire that motivates delinquent girls, for they are no more passionate than other women, but they are *manipulating* male desires for sex to achieve their own ulterior ends.

The beginning of delinquency in girls is usually an impulse to get amusement, adventure, pretty clothes, favorable notice, distinction, freedom in the larger world . . . The girls have usually become 'wild' before the development of sexual desire, and their casual sex relations do not usually awaken sex feeling. Their sex is used as a condition of the realization of other wishes. It is their capital (*Ibid.*:109).

Here Thomas is expanding on the myth of the manipulative woman, who is cold and scheming and vain. To him, good female sexual behavior is a protective measure—"instinctive, of course" (1907:241), whereas male behavior is uncontrollable as men are caught by helpless desires. This is the common Victorian notion of the woman as seductress which in turn perpetuates the myth of a lack of real sexuality to justify her responsibility for upholding sexual mores. 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. One notes, of course, the familiar dichotomy. It

is difficult, in this framework, to see how Thomas can make *any* moral distinctions, since morality seems to be merely good business sense. In fact, Thomas' yardstick is social harmony, necessitating *control*.

Thomas shows an insensitivity to real human relationships and needs. He also shows ignorance of economic hardships in his denial of economic factors in delinquency.

An unattached woman has a tendency to become an adventuress not so much on economic as on psychological grounds. Life is rarely so hard that a young woman cannot earn her bread; but she cannot always live and have the stimulation she craves (*Ibid.*:241).

This is an amazing statement in an era of mass starvation and illness! He rejects economic causes as a possibility at all, denying its importance in criminal activity with as much certainty as Lombroso, Freud, Davis, Pollak and most other writers.

IV. FREUD: "BEAUTY, CHARM AND SWEETNESS"

The Freudian theory of the position of women is grounded in explicit biological assumptions about their nature, expressed by the famous "Anatomy is Destiny." Built upon this foundation is a construction incorporating psychological and social-structural factors.

Freud himself sees women as anatomically inferior; they are destined to be wives and mothers, and this is admittedly an inferior destiny as befits the inferior sex. The root of this inferiority is that women's *sex organs* are inferior to those of men, a fact *universally* recognized by children in the Freudian scheme. The girl assumes that she has lost a penis as punishment, is traumatized, and grows up envious and revengeful. The boy also sees the girl as having lost a penis, fears a similar punishment himself, and dreads the girl's envy and vengeance. Feminine traits can be traced to the inferior genitals themselves, or to women's inferiority complex arising from their response to them: women are exhibitionistic, narcissistic, and attempt to compensate for their lack of a penis by being well dressed and physically beautiful. Women become mothers trying to replace the lost penis with a baby. Women are also masochistic, as Lombroso and Thomas have noted, because their *sexual* role is one of receptor, and their sexual pleasure consists of pain. This woman, Freud notes, is the *healthy* woman. In the familiar dichotomy, the men are aggressive and pain inflicting. Freud comments:

The male pursues the female for the purposes of sexual union, seizes hold of her, and penetrates into her . . . by this you have precisely

reduced the characteristic of masculinity to the factor of aggressiveness (Millett, 1970:189).

Freud, like Lombroso and Thomas, takes the notion of men's activity and women's inactivity and *reduces* it to the sexual level, seeing the sexual union itself through Victorian eyes: ladies don't move.

Women are also inferior in the sense that they are concerned with personal matters and have little social sense. Freud sees civilization as based on repression of the sex drive, where it is the duty of men to repress their strong instincts in order to get on with the worldly business of civilization. Women, on the other hand,

have little sense of justice, and this is no doubt connected with the preponderance of envy in their mental life; for the demands of justice are a modification of envy; they lay down the conditions under which one is willing to part with it. We also say of women that their social interests are weaker than those of men and that their capacity for the sublimation of their instincts is less (1933:183).

Men are capable of sublimating their individual needs because they rationally perceive the Hobbesian conflict between those urges and social needs. Women are emotional and incapable of such an adjustment because of their innate inability to make such rational judgments. It is only fair then that they should have a marginal relation to production and property.

In this framework, the deviant woman is one who is attempting to be a *man*. She is aggressively rebellious, and her drive to accomplishment is the expression of her longing for a penis; this is a hopeless pursuit, of course, and she will only end up "neurotic." Thus the deviant woman should be treated and helped to *adjust* to her sex role. Here again, as in Thomas' writing, is the notion of individual accommodation that repudiates the possibility of social change.

In a Victorian fashion, Freud rationalizes women's oppression by glorifying their duties as wives and mothers:

It is really a stillborn thought to send women into the struggle for existence exactly the same as men. If, for instance, I imagined my sweet gentle girl as a competitor, it would only end in my telling her, as I did seventeen months ago, that I am fond of her, and I implore her to withdraw from the strife into the calm, uncompetitive activity of my home . . . Nature has determined woman's destiny through beauty, charm and sweetness . . . in youth an adored darling, in mature years a loved wife (Jones, 1961:117-118).

In speaking of femininity, Freud, like his forebearers, is speaking along racist and classist lines. Only upper and middle class women could

possibly enjoy lives as sheltered darlings. Freud sets hegemonic standards of femininity for poor and Third World women.

It is important to understand Freudianism because it reduces categories of sexual ideology to explicit sexuality and makes these categories *scientific*. For the last fifty years, Freudianism has been a mainstay of sexist social theory. Kate Millett notes that Freud himself saw his work as stemming the tide of feminist revolution, which he constantly ridiculed:

Coming as it did, at the peak of the sexual revolution, Freud's doctrine of penis envy is in fact a superbly timed accusation, enabling masculine sentiment to take the offensive again as it had not since the disappearance of overt misogyny when the pose of chivalry became fashionable (Millett, 1970:189).

Freudian notions of the repression of sexual instincts, the sexual passivity of women, and the sanctity of the nuclear family are conservative not only in their contemporary context, but in the context of their own time. Hitler writes:

For her [woman's] world is her husband, her family, her children and her home . . . The man upholds the nation as the woman upholds the family. The equal rights of women consist in the fact that in the realm of life determined for her by nature, she experience the high esteem that is her due. Woman and man represent quite different types of being. Reason is dominant in man . . . Feeling, in contrast, is much more stable than reason, and woman is the feeling, and therefore the stable, element (*Ibid.*:170).

One can mark the decline in the position of women after the 1920's through the use of various indices: by noting the progressively earlier age of marriage of women in the United States and the steady rise in the number of children born to them, culminating in the birth explosion of the late forties and fifties; by looking at the relative decline in the number of women scholars; and by seeing the failure to liberate women in the Soviet Union and the rise of fascist sexual ideology. Freudianism has had an unparalleled influence in the United States (and came at a key point to help swing the tide against the women's movement) to facilitate the return of women during the depression and postwar years to the home, out of an economy which had no room for them. Freud affected such writers on female deviance as Davis, Pollak and Konopka, who turn to concepts of sexual maladjustment and neurosis to explain women's criminality. Healthy women would now be seen as masochistic, passive and sexually indifferent. Criminal women would be seen as *sexual* misfits. Most importantly, *psychological* factors

would be used to explain criminal activity, and social, economic and political factors would be ignored. Explanations would seek to be *universal*, and historical possibilities of change would be refuted.

V. DAVIS: "THE MOST CONVENIENT SEXUAL OUTLET FOR ARMIES . . ."

Kingsley Davis' work on prostitution (1961) is still considered a classical analysis on the subject with a structural-functionalist perspective. It employs assumptions about "the organic nature of man" and woman, many of which can be traced to ideas proffered by Thomas and Freud.

Davis sees prostitution as a structural necessity whose roots lie in the *sexual* nature of men and women; for example, female humans, unlike primates, are sexually available year-round. He asserts that prostitution is *universal* in time and place, eliminating the possibilities of historical change and ignoring critical differences in the quality and quantity of prostitution in different societies. He maintains that there will always be a class of women who will be prostitutes, the familiar class of "bad" women. The reason for the universality of prostitution is that sexual *repression*, a concept stressed by Thomas and Freud, is essential to the functioning of society. Once again there is the notion of sublimating "natural" sex urges to the overall needs of society, namely social order. Davis notes that in our society sexuality is permitted only within the structure of the nuclear family, which is an institution of stability. He does not, however, analyze in depth the economic and social functions of the family, other than to say it is a bulwark of morality.

The norms of every society tend to harness and control the sexual appetite, and one of the ways of doing this is to link the sexual act to some stable or potentially stable social relationship . . . Men dominate women in economic, sexual and familial relationships and consider them to some extent as sexual property, to be prohibited to other males. They therefore find promiscuity on the part of women repugnant (*Ibid.*:264).

Davis is linking the concept of prostitution to promiscuity, defining it as a *sexual* crime, and calling prostitutes sexual transgressors. Its origins, he claims, lie not in economic hardship, but in the marital restraints on sexuality. As long as men seek women, prostitutes will be in demand. One wonders why sex-seeking women have not created a class of male prostitutes.

Davis sees the only possibility of eliminating prostitution in the liberalization of sexual mores, although he is pessimistic about the likelihood of total elimination. In light of the contemporary American "sexual revolution" of commercial sex, which has surely created more prostitutes and semi-prostitutes rather than eliminating the phenomenon, and in considering the revolution in China where, despite a "puritanical" outlook on sexuality, prostitution has largely been eliminated through major economic and social change, the superficiality of Davis' approach becomes evident. Without dealing with root economic, social and political factors, one cannot analyze prostitution.

Davis shows Freudian pessimism about the nature of sexual repression:

We can imagine a social system in which the motive for prostitution would be completely absent, but we cannot imagine that the system will ever come to pass. It would be a regime of absolute sexual freedom with intercourse practiced solely for pleasure by both parties. There would be no institutional control of sexual expression . . . All sexual desire would have to be mutually complementary . . . Since the basic causes of prostitution—the institutional control of sex, the unequal scale of attractiveness, and the presence of economic and social inequalities between classes and between males and females—are not likely to disappear, prostitution is not likely to disappear either (*Ibid.*:286).

By talking about "complementary desire," Davis is using a marketplace notion of sex: two attractive or unattractive people are drawn to each other and exchange sexual favors; people are placed on a scale of attractiveness and may be rejected by people above them on the scale; hence they (*men*) become frustrated and demand prostitutes. Women who become prostitutes do so for good pay *and* sexual pleasure. Thus one has a neat little system in which everyone benefits.

Enabling a small number of women to take care of the needs of a large number of men, it is the most convenient sexual outlet for armies, for the legions of strangers, perverts and physically repulsive in our midst (*Ibid.*:288).

Prostitution "functions," therefore it must be good. Davis, like Thomas, is motivated by concerns of social order rather than by concerns of what the needs and desires of the women involved might be. He denies that the women involved are economically oppressed; they are on the streets through autonomous, *individual* choice.

Some women physically enjoy the intercourse they sell. From a purely economic point of view, prostitution comes near the situation of getting something for nothing . . . Women's wages could scarcely be raised

significantly without also raising men's. Men would then have more to spend on prostitution (*Ibid.*:277).

It is important to understand that, given a *sexual* interpretation of what is an *economic* crime, and given a refusal to consider widespread change (even equalization of wages, hardly a revolutionary act), Davis' conclusion is the logical technocratic solution.

In this framework, the deviant women are merely adjusting to their feminine role in an illegitimate fashion, as Thomas has theorized. They are *not* attempting to be rebels or to be "men," as Lombroso's and Freud's positions suggest. Although Davis sees the main difference between wives and prostitutes in a macrosocial sense as the difference merely between legal and illegal roles, in a personal sense he sees the women who *choose* prostitution as maladjusted and neurotic. However, given the universal necessity for prostitution, this analysis implies the necessity of having a perpetually ill and maladjusted class of women. Thus oppression is *built into* the system, and a healthy *system* makes for a sick *individual*. Here Davis is integrating Thomas' notions of social integration with Freudian perspectives on neurosis and maladjustment.

VI. POLLAK: "A DIFFERENT ATTITUDE TOWARD VERACITY"

Otto Pollak's *The Criminality of Women* (1950) has had an outstanding influence on the field of women and crime, being the major work on the subject in the postwar years. Pollak advances the theory of "hidden" female crime to account for what he considers unreasonably low official rates for women.

A major reason for the existence of hidden crime, as he sees it, lies in the *nature* of women themselves. They are instigators rather than perpetrators of criminal activity. While Pollak admits that this role is partly a socially enforced one, he insists that women are inherently deceitful for *physiological* reasons.

Man must achieve an 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 (*Ibid.*: 10).

Pollak *reduces* women's nature to the *sex act*, as Freud has done, and finds women inherently more capable of manipulation, accustomed to being sly, passive and passionless. As Thomas suggests, women can use

sex for ulterior purposes. Furthermore, Pollak suggests that women are innately deceitful on yet another level:

Our sex mores force women to conceal every four weeks the period of menstruation . . . They thus make concealment and misrepresentation in the eyes of women socially required and must condition them to a different attitude toward veracity than men (*Ibid.*:11).

Women's abilities at concealment thus allow them to successfully commit crimes in stealth.

Women are also vengeful. Menstruation, in the classic Freudian sense, seals their doomed hopes to become men and arouses women's desire for vengeance, especially during that time of the month. Thus Pollak offers new rationalizations to bolster old myths.

A second factor in hidden crime is the roles played by women which furnish them with opportunities as domestics, nurses, teachers and housewives to commit undetectable crimes. The *kinds* of crimes women commit reflect their nature: false accusation, for example, is an outgrowth of women's treachery, spite or fear and is a sign of neurosis; shoplifting can be traced in many cases to a special mental disease—kleptomania. Economic factors play a minor role; *sexual-psychological* factors account for female criminality. Crime in women is *personalized* and often accounted for by mental illness.

Pollak notes:

Robbery and burglary . . . are considered specifically male offenses since they represent the pursuit of monetary gain by overt action . . . Those cases of female robbery which seem to express a tendency toward masculinization comes from . . . [areas] where social conditions have favored the assumptions of male pursuits by women . . . The female offenders usually retain some trace of femininity, however, and even so glaring an example of masculinization as the 'Michigan Babes,' an all woman gang of robbers in Chicago, shows a typically feminine trait in the *modus operandi* (*Ibid.*:29).

Pollak is defining crimes with economic motives that employ overt action as *masculine*, and defining as *feminine* those crimes for *sexual* activity, such as luring men as baits. Thus he is using circular reasoning by saying that feminine crime is feminine. To fit women into the scheme and justify the statistics, he must invent the notion of hidden crime.

It is important to recognize that, to some extent, women *do* adapt to their enforced sexual roles and may be more likely to instigate, to use sexual traps, and to conform to all the other feminine role expectations. However, it is not accidental that theorists label women as conforming even when they are *not*; for example, by inventing sexual motives for

what are clearly crimes of economic necessity, or by invoking "mental illness" such as kleptomania for shoplifting. It is difficult to separate the *theory* from the *reality*, since the reality of female crime is largely unknown. But it is not difficult to see that Pollak is using sexist terms and making sexist assumptions to advance theories of hidden female crime.

Pollak, then, sees criminal women as extending their sexual role, like Davis and Thomas, by using sexuality for ulterior purposes. He suggests that the condemnation of extramarital sex has "delivered men who engage in such conduct as practically helpless victims" (*Ibid.*:152) into the hands of women blackmailers, overlooking completely the possibility of men blackmailing women, which would seem more likely, given the greater taboo on sex for women and their greater risks of being punished.

The final factor that Pollak advances as a root cause of hidden crime is that of "chivalry" in the criminal justice system. Pollak uses Thomas' observation that women are differentially treated by the law, and carries it to a sweeping conclusion based on *cultural* analyses of men's feelings toward women.

One of the outstanding concomitants of the existing inequality . . . is chivalry, and the general protective attitude of man toward woman . . . Men hate to accuse women and thus indirectly to send them to their punishment, police officers dislike to arrest them, district attorneys to prosecute them, judges and juries to find them guilty, and so on (*Ibid.*: 151).

Pollak rejects the possibility of an actual discrepancy between crime rates for men and women; therefore, he must look for factors to expand the scope of female crime. 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.⁴

VII. THE LEGACY OF SEXISM

A major purpose in tracing the development and interaction of ideas pertaining to sexual ideology based on implicit assumptions of the

inherent nature of women throughout the works of Lombroso, Thomas, Freud, Davis and Pollak, is to clarify their positions in relation to writers in the field today. One can see the influence their ideas still have by looking at a number of contemporary theorists on female criminality. Illuminating examples can be found in Gisela Konopka's *Adolescent Girl in Conflict* (1966), Vedder and Somerville's *The Delinquent Girl* (1970) and Cowie, Cowie and Slater's *Delinquency in Girls* (1968). The ideas in these minor works have direct roots in those already traced in this paper.

Konopka justifies her decision to study delinquency in girls rather than in boys by noting girls' *influence* on boys in gang fights and on future generations as mothers. This is the notion of women as instigators of men and influencers on children.

Konopka's main point is that delinquency in girls can be traced to a specific emotional response: loneliness.

What I found in the girl in conflict was . . . loneliness accompanied by despair. Adolescent boys too often feel lonely and search for understanding and friends. Yet in general this does not seem to be the central core of their problems, not their most outspoken ache. While these girls also strive for independence, their need for dependence is unusually great (1966:40).

In this perspective, girls are driven to delinquency by an emotional problem—loneliness and dependency. There are *inherent* emotional differences between the sexes.

Almost invariably her [the girl's] problems are deeply personalized. Whatever her offense—whether shoplifting, truancy or running away from home—it is usually accompanied by some disturbance or unfavorable behavior in the sexual area (*Ibid.*:4).

Here is the familiar resurrection of female personalism, emotionalism, and above all, *sexuality*—characteristics already described by Lombroso, Thomas and Freud. Konopka maintains:

The delinquent girl suffers, like many boys, from lack of success, lack of opportunity. But her drive to success is never separated from her need for people, for interpersonal involvement (*Ibid.*:41).

Boys are “instrumental” and become delinquent if they are deprived of the chance for creative success. However, girls are “expressive” and happiest dealing with people as wives, mothers, teachers, nurses or psychologists. This perspective is drawn from the theory of delinquency as a result of blocked opportunity and from the instrumental/expressive sexual dualism developed by structural-functionalists. Thus female

delinquency must be dealt with on this *psychological* level, using therapy geared to their needs as future wives and mothers. They should be *adjusted* and given *opportunities* to be pretty, sociable women.

The important point is to understand how Konopka analyzes the roots of girls' feelings. It is very possible that, given women's position, girls may be in fact more concerned with dependence and sociability. One's understanding of this, however, is based on an understanding of the historical position of women and the nature of their oppression. Konopka says:

What are the reasons for this essential loneliness in girls? Some will be found in the nature of being an adolescent girl, in her biological make-up and her particular position in her culture and time (*Ibid.*).

Coming from a Freudian perspective, Konopka's emphasis on female emotions as cause for delinquency, which ignores economic and social factors, is questionable. She employs assumptions about the *physiological* and *psychological* nature of women that very well may have led her to see only those feelings in the first place. For example, she cites menstruation as a significant event in a girl's development. Thus Konopka is rooted firmly in the tradition of Freud and, apart from sympathy, contributes little that is new to the field.⁵

Vedder and Somerville (1970) account for female delinquency in a manner similar to that of Konopka. They also feel the need to justify their attention to girls by remarking that (while female delinquency may not pose as much of a problem as that of boys) because women raise families and are critical agents of socialization, it is worth taking the time to study and control them. Vedder and Somerville also stress the dependence of girls on boys and the instigatory role girls play in boys' activities.

Like Freud and Konopka, the authors view delinquency as blocked access or maladjustment to the normal feminine role. In a blatant statement that ignores the economic and social factors that result from racism and poverty, they attribute the high rates of delinquency among black girls to their lack of "healthy" feminine narcissism, *reducing* racism to a psychological problem in totally sexist and racist terms.

The black girl is, in fact, the antithesis of the American beauty. However loved she may be by her mother, family and community, she has no real basis of female attractiveness on which to build a sound feminine narcissism . . . Perhaps the 'black is beautiful' movement will help the Negro girl to increase her femininity and personal satisfaction as a black woman (*Ibid.*:159-160).

Again the focus is on a lack of *sexual* opportunities for women, *i.e.*, the Black woman is not Miss America. *Economic* offenses such as shoplifting are explained as outlets for *sexual* frustration. Since healthy women conform, the individual delinquents should be helped to adjust; the emphasis is on the "definition of the situation" rather than on the situation.

The answer lies in *therapy*, and racism and sexism become merely psychological problems.

Special attention should be given to girls, taking into consideration their constitutional biological and psychological differences, and their social position in our male dominated culture. The female offender's goal, as any woman's, is a happy and successful marriage; therefore her self-image is dependent on the establishment of satisfactory relationships with the opposite sex. The double standard for sexual behavior on the part of the male and female must be recognized (*Ibid.*:153).

Like Konopka, and to some extent drawing on Thomas, the authors see female delinquents as extending femininity in an illegitimate fashion rather than rebelling against it. The assumptions made about women's goals and needs, including *biological* assumptions, lock women into a system from which there is no escape, whereby any behavior will be sexually interpreted and dealt with.

The resurgence of biological or physiological explanations of criminality in general has been noteworthy in the last several years, exemplified by the XYY chromosome controversy and the interest in brain waves in "violent" individuals.⁶ In the case of women, biological explanations have *always* been prevalent; every writer has made assumptions about anatomy as destiny. Women are prey, in the literature, to cycles of reproduction, including menstruation, pregnancy, maternity and menopause; they experience emotional responses to these cycles that make them inclined to irrationality and potentially violent activity.

Cowie, Cowie and Slater (1968) propose a *chromosomal* explanation of female delinquency that harkens back to the works of Lombroso and others such as Healy (1926), Edith Spaulding (1923) and the Gluecks (1934). They write:

The chromosomal difference between the sexes starts the individual on a divergent path, leading either in a masculine or feminine direction . . . It is possible that the methods of upbringing, differing somewhat for the two sexes, may play some part in increasing the angle of this divergence (*Ibid.*:171).

This is the healthy, normal divergence for the sexes. The authors equate *masculinity* and *femininity* with *maleness* and *femaleness*, although

contemporary feminists point out that the first categories are *social* and the latter ones *physical*.⁷ What relationship exists between the two—how femaleness determines femininity—is dependent on the larger social structure. There is no question that a wide range of possibilities exist historically, and in a non-sexist society it is possible that “masculinity” and “femininity” would disappear, and that the sexes would differ only biologically, specifically by their sex organs. The authors, however, lack this understanding and assume an ahistorical sexist view of women, stressing the *universality* of femininity in the Freudian tradition, and of women’s inferior role in the nuclear family.⁸

In this perspective, the female offender is *different* physiologically and psychologically from the “normal” girl.

The authors conclude, in the tradition of Lombroso, that female delinquents are *masculine*. Examining girls for physical characteristics, they note:

Markedly masculine traits in girl delinquents have been commented on . . . [as well as] the frequency of homosexual tendencies . . . Energy, aggressiveness, enterprise and the rebelliousness that drives the individual to break through conformist habits are thought of as being masculine . . . We can be sure that they have some physical basis (*Ibid.*: 172).

The authors see crime as a *rebellion* against sex roles rather than as a maladjusted expression of them. By defining rebellion as *masculine*, they are ascribing characteristics of masculinity to any female rebel. Like Lombroso, they spend time measuring heights, weights, and other *biological* features of female delinquents with other girls.

Crime defined as masculine seems to mean violent, overt crime, whereas “ladylike” crime usually refers to sexual violations and shoplifting. Women are neatly categorized no matter *which* kind of crime they commit: if they are violent, they are “masculine” and suffering from chromosomal deficiencies, penis envy, or atavisms. If they conform, they are manipulative, sexually maladjusted and promiscuous. The *economic* and *social* realities of crime—the fact that poor women commit crimes, and that most crimes for women are property offenses—are overlooked. Women’s behavior must be *sexually* defined before it will be considered, for women count only in the sexual sphere. The theme of sexuality is a unifying thread in the various, often contradictory theories.

VIII. CONCLUSION

A good deal of the writing on women and crime being done at the present time is squarely in the tradition of the writers that have been discussed. 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. It is beyond the scope of this paper to develop possible areas of study, but it is nonetheless imperative that this work be made a priority by women *and* men in the future.

FOOTNOTES

1. Quoted from the 1973 proposal for the Center for the Study and Reduction of Violence prepared by Dr. Louis J. West, Director, Neuropsychiatric Institute, UCLA: "The question of violence in females will be examined from the point of view that females are more likely to commit acts of violence during the pre-menstrual and menstrual periods" (1973:43).

2. I am indebted to Marion Goldman for introducing me to the notion of the dual morality based on assumptions of different sexuality for men and women.

3. For a discussion of the possibilities of psychosurgery in behavior modification for "violence-prone" individuals, see Frank Ervin and Vernon Mark, *Violence and the Brain* (1970). For an eclectic view of this perspective on crime, see the proposal for the Center for the Study and Reduction of Violence (footnote #1).

4. The concept of hidden crime is reiterated in Reckless and Kay's report to the President's Commission on Law Enforcement and the Administration of Justice. They note:

A large part of the infrequent officially acted upon involvement of women in crime can be traced to the masking effect of women's roles, effective practice on the part of women of deceit and indirection, their instigation of men to commit their crimes (the Lady Macbeth factor), and the unwillingness on the part of the public and law enforcement officials to hold women accountable for their deeds (the chivalry factor) (1967:13).

5. Bertha Payak in "Understanding the Female Offender" (1963) stresses that women offenders have poor self-concepts, feelings of insecurity and dependency, are emotionally self-ish, and prey to irrationality during menstruation, pregnancy, and menopause (a good deal of their life!).

6. See Theodore R. Sarbin and Jeffrey E. Miller, "Demonism Revisited: The XYY Chromosomal Anomaly," *Issues in Criminology* 5(2)(Summer 1970).

7. Kate Millett (1970) notes that "sex is biological, gender psychological and therefore cultural . . . if the proper terms for sex are male and female, the corresponding terms for gender are masculine and feminine; these latter may be quite independent of biological sex" (*Ibid.*:30).

8. Zelditch (1960), a structural-functionalist, writes that the nuclear family is an inevitability and that within it, women, the "expressive" sex, will inevitably be the domestics.

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