

The study of female deviance criminology essay



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Living in a period which had totally ignored women and the study of female deviance (prior to 1960s), Professor Frances Heidensohn saw, as other criminologists, the immediate need for research and study on the deviant woman. As “ a pioneer of feminist perspectives in criminology”, Heidensohn’s work provided the “ too much man’s land” of criminology and how women have been unfairly treated and neglected in previous studies. Heidensohn is considered to be a revolutionist in this field of criminology due to her pre-feminist work (Heidensohn 1968 and 1970) on the invisibility and silence surrounding the female offender[ii]. Throughout her work and extensive research on a variety of different writers and criminologists, she stressed the lack of attention on gender dimensions and the tendency to over-sexualise women crimes. Clearly upset of this status quo, she pointed out also the necessity of taking into account autobiographical experiences of female offenders, who are the actual objects of this study. Frances Heidensohn; a professor in the Department of Sociology at London School of Economics, by her investigation on the study of gender in the context of crime, could be said to have set the foundations for next generations studies on feminist perspectives in criminology. Her biggest question mark was why the chapter of women and crime has been buried for such a long time and why there has been a failure to examine such an important issue. Most of her books and articles try to provide adequate aetiologies to all these question marks. Fortunately, things changed since the 1960s and feminism criminology was developed. As Heidensohn suggested in a metaphorical way, “ Like a wardrobe of new exciting clothes, a whole treasure generated in criminology. It offers us a great deal more to enrich our knowledge of women and crime. But there is much more on offer too.”[iii]In other words,

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Professor Heidensohn held that even though feminist criminology has been developed there are still many gaps and much more to be done. Thus, Heidensohn illuminated the path towards the understanding of female criminology.

In the field of criminological study and most sociological research and writing, analyses of criminal women cannot be found before the 1960s. But even “where they are considered, they are subject to marginalising and distorting treatment” as Oakley noted in 1982^[iv] or similarly as Klein suggested “female criminality has often ended up as footnote to works on men that purport to be works on criminality in general”^[v]. This lack of interest was really surprising in Heidensohn’s eyes.^[vi] As Frances Heidensohn noted in an important early article on deviance, “virtually no serious scholarship has been undertaken to explain the dramatic difference between male and female lawbreaking.”^[vii] Hence, this status quo, which was much more due to male dominance, impelled her to start an extensive research on the subject to provide sufficient answers to all these questions raised. What was central to her work was the amnesia and neglect of women in previous studies in criminology and the fact that “even where women were recognised, they were depicted in terms of stereotypes and based on their supposed biological and psychological nature”^[viii]. Her major argument which she highlights in all of her books, articles is the necessity of exploring gender in terms of understanding crime.

Her discussion was concerned with personal experiences and autobiographies of women offenders in relation to the courts, the law and the police. She strongly stressed that at all levels women have been treated

differently than men and in some cases harsher. Under the provisions of criminal law, women are theoretically equal to men. Conversely, she underlined that in many cases the laws on prostitution, for instance, prejudice against women and in general there is tendency to over-sexualise female crime. Frances Heidensohn objected this attitude towards female crime. Prostitution “ was seen only as sexual deviance and not as the rational choice for some women who need the financial support for themselves and their children (Heidensohn, 1968, p. 168)[ix]“. Klein also shared this opinion. Furthermore, criminal laws and lawyers tended to apply stereotype notions of what a “ proper” woman is and does and dual assumptions such as virgin and whore were made when dealing with female offenders. Yet, Heidensohn did not criticise that and she recognised that “ one cannot divorce the law and lawyer from the society in which they operate with its enormous cultural heritage and traditions”[x]. Although she did argue about the “ too much men’s world” that existed, truly annoyed by the domination of men in administration as well as in the draft of legislation because of the implications that had on female offenders. Further, the courts even though women committed fewer and less serious crimes than men, were often harsher with women. According to Frances Heidensohn, there were several reasons that explained this stance by the courts. One of the strongest arguments that she made was that female criminals were considered to be “ doubly-deviant”. Women criminals were very rare phenomena, a fact that biased the behaviour of the courts towards them. As Heidensohn had pointed out in one of her earliest presumptions, “ Women defendants therefore seem stranger and thus less comprehensible than men: they offend both against society’s behavioural rules about property, drinking,

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or violence and also against the most fundamental norms which govern sex-role behaviour"[xi](Heidensohn, 1970, p. 134). In other words, if they had been morally wrong, then they will be punished more; " Courts and other agencies treat women as deviant twice over: they have broken criminal law and social expectations of proper female behaviour."[xii]In addition, the whole court procedure is something " particularly bewildering, alien and unfair" to female offenders.[xiii]

While doing her research, Frances Heidensohn gave a great emphasis on the stereotype notions and the social standards that the society held for criminal women. In patriarchal societies, women were perceived as a " source of disorder". Moral values and accepted social standards, especially in previous periods of time, rendered women subject to stricter rules. Moreover, the witch image as well as that of the whore seemed to be the key portrayals of the deviant women. The stereotype of witchcraft, which has always been linked to women, gave the idea of " deviant women as especially evil, depraved and monstrous"[xiv]. On the other hand, the tendency to sexualise the female offences portrayed them as whores. Professor Heidensohn argued that no such notions exist, equivalent to male deviants. On the contrary, male deviants " either receive public approval-boys will be boys,- or are at least more positively portrayed"[xv]. She continued her argument and she strongly criticized the role the media had overplayed in forming these ideas; male offenders in novels, films were presented as heroes, something that affected the public reaction and opinion.

In reviewing traditional criminology and " classical" criminological writers, Heidensohn observed that female criminality was determined by their

biology and psychology. Lombroso; the “ father of criminology”, and Ferrero’s research, which focused on the meditation of the skulls, bones and appearance of female criminals, came to the conclusion that women deviants could be recognised by their physical appearance and they had very similar characteristics to male deviants. Women criminals “ like their masculine counterparts, had certain allegedly atavistic features, notably unfeminine features and built and dark masculine hair.”[xvi]Additionally, they claimed that criminal women are abnormal. Following these lines, Professor Heidensohn found herself contrary to this presumption. She argued that “ his analysis of photographs of ‘ fallen women’ is as objective as adjudication in a beauty contest.”[xvii]Furthermore, Lombroso and Ferrero’s theories did not provide us an adequate and precise understanding of female crime.” What they did show us was the attempt to rationalise and justify the status quo, the existing position of women and the double standard of morals of their day.”[xviii]Thus they did not draw away from the stereotype notions and the dual assumptions about women (good or bad, normal or abnormal).

“ Deviant Women’s experiences” was a central method used by Frances Heidensohn and feminist writers towards the understanding of female delinquency; concentration on the “ researched” and their experiences. Even though this methodology received much criticism (Ramazanoglu and Holland 2002)[xix], Heidensohn and Gelsthorpe argued that “ close reading of feminist discussions ultimately reveal no fixed ‘ absolutes’ beyond the need for sensitivity in the research task, for personal reflexivity and commitment to make the research relevant to women.”[xx]This methodology vested

women the right to speak for themselves, their experiences, their feelings and thoughts. The technique of viewing the world through women's eyes was successful in making women visible in criminology and additionally created a "women's world" too. The concentration on women's experiences led to some crucial developments in female criminology and feminist contributions to criminology. 'Feminism standpointism' as Harding puts it (1987)

[xxi]reflected the concept of viewing the world through women's eyes and "encouraged both theoretical and personal reflexivity in relation to knowledge and the process of knowledge production through research." [xxii] However, the key aspect of focusing on the experiences of female criminals was that it rendered gender as the basis of understanding and interpreting crime and social conduct rather than simply as a statistical variable.

As a synopsis of her study, Frances Heidensohn argued that "what seems to be needed in the study of female deviance is a crash programme of research which telescopes decades of comparable studies of males." [xxiii] Also, she was consistent with what Mannheim recommended, who held that "an objective and scientific approach should try to treat female crime as a topic in its own right." [xxiv] She therefore concluded in her book on 'Women and Crime' that in order to gain understanding on women and crime other analyses such as family life, position and social control of women, male dominance should be taken into account. Arguably, she supported that this could not be achieved through feminist criminology or sociology of deviance. [xxv]

Frances Heidensohn's observations have not been subject to too much criticism as Lombroso's or other criminologist's theories. However, some

points that she did make were subject to debate and disapproval. Allison Morris was one of those who contravened with some of her presumptions. Her enantiosis was basically on the fact that the criminal justice system is “ a peculiarly alien an unfamiliar world”[xxvi]only for women. Morrison focused on the belief that criminal law is ‘ sexist’ in the treatment of deviant girls and women and she went on to say that “ such factors as race, family circumstances and commitments, types of offence and previous record all clearly mediate the treatment of both female and male defendants and may be that some of those factors are as important as gender, if not more so.”[xxvii]Indeed, Heidensohn relied on this assumption; that sex is the most crucial aspect and that it is not only women who are being deprived in the criminal justice system. However, what Morrison strongly argued was Heidensohn’s failure to identify other groups of people who could be treated unfairly under the criminal system or the court could be biased against them and to whom the whole process might be unfamiliar and alien. Such groups of people, as Morris suggests could be for young black and working -class men or minorities.[xxviii]Finally, she pointed out that “ it is wrong to present women’s experiences in the criminal justice system as a unitary experience. We know that black women are over-represented in our prisons. We need to be able to account for this.”[xxix]In my personal opinion Morrison made a full disclosure of the reality; that minorities or black people or people of different social standards, could also be treated unfairly in court or could be subject to discriminatory wrongs. She made a very strong argument which did take into account and tried to defend other social and powerless groups and not only women, something that Heidensohn failed to do. Moreover, that could be the basis for other perceptions that Heidensohn provided. This is the one of

economic rationality or that of stigma. Consequently it is not only women who can be motivated by the economic needs to commit a crime; people of a 'lower class' can commit crimes as a result of poverty; or it is not only women who fear the idea of being stigmatised by their offences. Carlen Pat also argued at this part that this stance could cause race or class conflicts. Finally, in general Carlen suggested that no feminism theory could offer aetiologies to three major issues concerning female delinquency; " that women's crimes are in the main, the crimes of the powerless; that women in prison are disproportionately from ethnic minority groups; and that a majority of women in prison have been in poverty for the greater part of their lives." [xxx]

Synoptically, Frances Heidensohn's contribution to criminology was enormous in relation to female offenders. It could be said as having two sides of a coin. Her research in conjunction with that of other feminist criminologists illuminated the path towards the understanding of the female deviance. However, even though they shed some light on it there are still some dark aspects. As Frances Heidensohn pointed out, the study of female deviance has still a long way to go. The most crucial drawback that I can identify in her work was the lack of consideration of other factors that could play a valid role in the field of understanding crime such as race, class, nationality, age and other social characteristics rather than only focusing on gender dimensions and giving privileges only to women.