Balanced justice for the new female desperado

(EDITOR'S NOTE: This is the fifth of 15 articles in a series on crime and justice in America. It is the text for an Oakland University course taught by Prof. Jesse Pitts. The series was written for Courses by Newspaper, a program developed by the University of California, San Diego.)

By LOIS DeFLEUR NELSON

For generations, crime has been associated with maleness in our society.

Reporting, recording and writing about crime all reflected a basic value system in which the male role was dominant. Men were considered the primary perpetrators of most deviant activities. They were both the feared and revered participants in this sub rosa world.

The few women discovered joining in criminal activities were regarded with distaste but were not treated too severely by the courts.

But neither did they receive the full protection of the law—men were free to pursue many of their illicit pleasures, such as prostitution, with little fear of moral or legal recriminations, even though females were often the abused participants and the victims.

THIS MALE dominance of the criminal world is now beginning to change.

As sociologist Freda Adler noted recently, another generation of women will enter this criminal world—"a generation who, as girls, will think it perfectly natural to become carpenters or architects or steeplejacks or senators; a generation who will dream of running away from home to join the circus or growing up to become desperados or gunslingers."

The traditional view of the role of women in crime is thus responding to changes in the role of women in our society at large. But the emerging picture appears full of contradictions and conflicts.

ACCORDING TO arrest data, women's involvement in property crime, such as theft, embezzlement and fraud, has increased dramatically in the last decade, with the arrest rate among females rising almost three times faster than among males.

Still the rate of female arrests is only about one-third that of men. Female arrests for violent crimes, such as assault and homicide, have remained relatively low and stable.

Consistent with traditional sex roles, prostitution is a relatively frequent female crime. Male customers, in all but a few cities, are ignored as parties to a criminal act.

The statistics on rape indicate an almost fourfold increase in male arrests in the last 15 years, but obtaining a conviction for this charge is still very difficult.

Furthermore, although men are reported and arrested for rape, the primary accusations and stigma still fall on the female victims. For example, a Wisconsin judge recently declared rape a "normal" reaction of a teenage boy to women's revealing clothing and a sexually permissive society.

IN THE JUDICIAL system, data from courts indicate that in the past women have tended to receive preferential treatment in terms of charges, convictions and sentences.

In some states, for some types of offenses, females still are treated more leniently than males, but there are signs of increasing equity or even more severity in convictions and sen-

(Continued on page 13A)

Lois DeFleur Nelson, professor of sociology at Washington State University, was research director for projects on integrating women into the U.S. Air Force Academy. She is co-author of the best-selling textbook "Sociology: Human Society" and author of the forthcoming "Policing the Drug Scene," as well as numerous articles.

Prof. Pitts comments

'By 4 or 5, the die is cast'

By JESSE PITTS
Oakland University

The reason women participate less in all forms of crime than men (with the exception of shoplifting) is that they have been trained to be, above all, mothers and wives.

As such, they are trained to gratify, to try to find their pleasure in other persons' pleasure. As little girls, they learn to please by being good little girls, and by being cute and cuddly.

Boys, on the other hand, are taught to disobey, as well as to obey, and within certain limits, to disregard the feelings of others in order to do what they think is right. Parents relish a good little girl. They are more concerned about a good little boy.

The result: As adults, women are more conforming than men. Men are more deviant, which means more innovative—even in dress designing, cooking and hair setting—but also more criminal.

PART OF the greater aggressiveness of human males may be innate. Part of it is also the result of the efforts that little boys, and big boys, must make in order to give up the protection and warmth of mother love if they want to to learn to go down to the cellar alone and roam further away from home than their sisters. Aggressiveness, toughness are ways of burning one's bridges.

It will be psychologically easier if boys have a father around to show them how toughness can be combined with sensitivity and courtesy. Otherwise that toughness is more likely to escalate into violent crime where men outnumber women 20-1.

Hence the lower criminality of women—especially in blue collar crime—is rooted in the sex roles, and in the fact that women spend more of their time and psychic energy around the home.

The more exposure to gainful employment, the greater opportunities for stealing. After all, a good deal (not all) of our virtue, both men's and women's, is the virtue of the untempted.

Women are now being more tempted, both by theft and adultery, since gainful employment does not provide the protection from temptation that used to be provided by the secluding purdah of suburbia.

I DO NOT expect the trend toward gainful employment to change the basic sex roles.

Women's commitment to their jobs will be, for 90 per cent of them, secondary to their obligations as mothers, wives and even grandmothers.

Fathers are unlikely to give up their delight in their winsome, pretty, cuddly little girls.

Mothers are not about to give up the training of their daughters into the unconditional loving, the emotional responsiveness, the empathy toward others that will permit them to say: "A daughter is a daughter all your life." By four or five years of age, the die is cast.

The capacity for deviance has been much reduced, as well as the capacity to inflict pain for the profit of the firm. This, rather than any difference in IQ, is the reason why women willl find it difficult to become executives in areas where their mothering capacity does not give them a strategic edge.

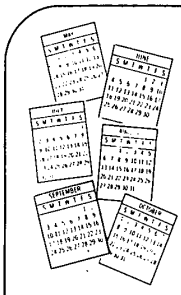
Human beings are condemned to have the vices of their virtues and the weaknesses of their strengths.

MEN WILL STILL see in women the weaker sex, against whom domination and violence do not bring honor. For too many, that is as close to Christian values they can ever come.

Because boys learn to see women much more as mothers than as competitors, they will trust women well before they trust men. They do not expect women to hurt, and this expectation has a way of rendering women even more "good" than they might otherwise be.

Women, on the other hand, do not trust women as men do. All is not love that seems like love. Conformity is not necessarily real goodness. But human law cannot go into the recesses of the soul. That is the reason why, although men outnumber women in prison by 3-1, in God's Hell the ratio is likely to be more equal.

TOPIC FOR class discussion: A French writer has said: "There is a bit of an actress and a bit of whore in all women. But whores and actresses are not women." If he is right, could prostitution ever be decriminalized?



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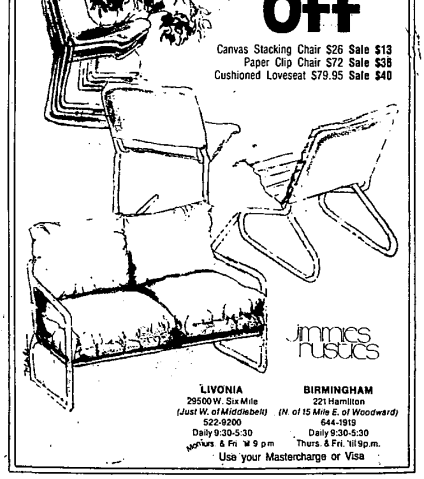

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