

Human Rights Practice: Gender-Sensitive Law Enforcement

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Human Rights Standards

Women are entitled to the equal enjoyment and protection of all human rights in the political, economic, social, cultural, civic and other domains. These rights include, inter alia, the right to life, equality, liberty and security of the person; equal protection under the law; freedom from discrimination; the highest attainable standard of mental and physical health; just and favorable conditions of work; and freedom from torture and other cruel, inhumane or degrading treatment or punishment.

Violence against women may be physical, sexual or psychological, and includes battering, sexual abuse, dowry violence, marital rape, harmful traditional practices, non-spousal rape and violence, sexual harassment, forced prostitution, trafficking in women, and exploitation-related violence. Violence against women, in all its forms, violates and impairs or nullifies the enjoyment by women of human rights and fundamental freedoms.

The police shall exercise due diligence to prevent, investigate and make arrests for all acts of violence against women, whether perpetrated by public officials

or private persons, in the home, in the community, or in official institutions. Violence against women is a crime and must be treated as such, including when it occurs within the family.

The police shall take rigorous official action to prevent the victimization of women, and shall ensure that revictimization does not occur as a result of police omissions or gender-insensitive enforcement practices.

Arrested or detained women shall not suffer discrimination and shall be protected from all forms of violence or exploitation. Women detainees shall be supervised and searched by female officers and staff. Women shall be detained separately from male detainees. Pregnant women and nursing mothers shall be provided with special facilities in detention.

Law enforcement agencies shall not discriminate against women in recruitment, hiring, training, assignment, promotion, salary, or other career and administrative matters. Law enforcement agencies shall recruit sufficient numbers of women to ensure fair community representation and the protection of the rights of female suspects, arrestees and detainees.

Human Rights Practice

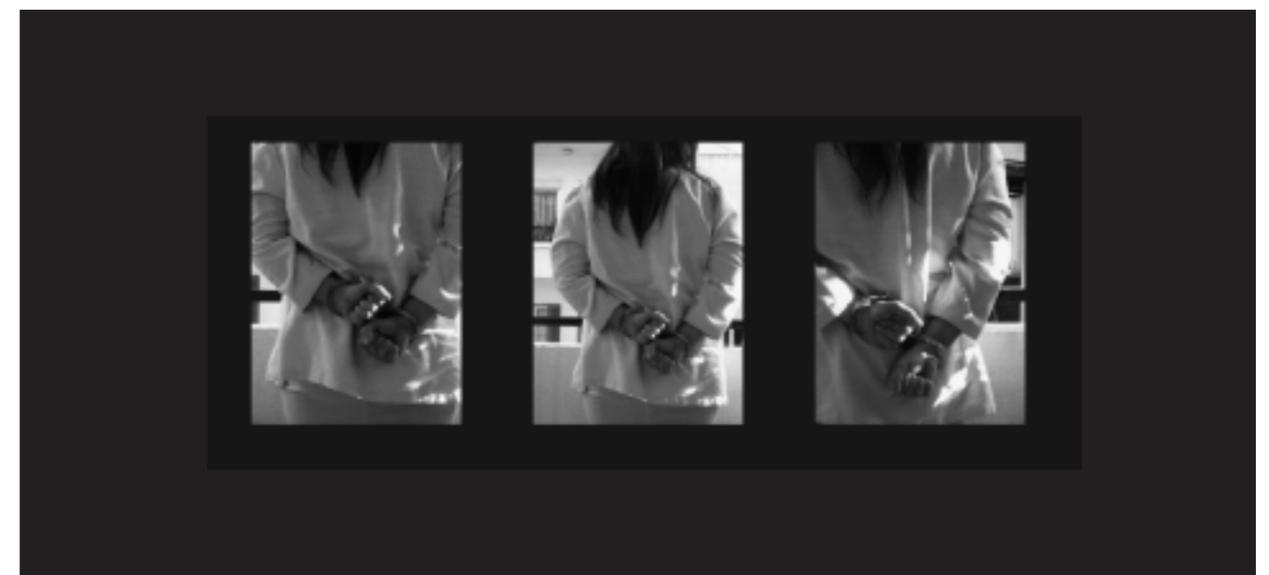
All police officials shall:

- Treat domestic violence crimes as legally equivalent to other assaults;
- Respond promptly to domestic violence and sexual violence calls; inform victims of available medical, social, psychological and material support; and provide transportation to a safe place;
- Investigate domestic violence thoroughly and professionally interviewing victims, witnesses, neighbors and medical professionals;
- Prepare detailed reports of domestic violence incidents and follow-up carefully, both with superiors and with victims; check reports against previous incidents in the files, and take all necessary action to prevent reoccurrence;
- After medical, administrative and other procedures have been completed, offer to accompany a victim of domestic violence to her home to move her personal effects to a safe place;
- Enroll in training to develop their skills in aiding and protecting victims of domestic violence;
- Cooperate closely with medical professionals and social agencies in handling cases of domestic violence;
- Ensure that a female officer is present during all contact with women offenders, and with women victims of crime, deferring cases to female colleagues, where possible;
- Separate female from male detainees ensuring that female officers supervise and search female detainees;
- Abstain from, and discourage, gender-insensitive conversations and jokes with male colleagues; and
- Ask female colleagues for their feelings and perceptions on any policies, practices, behavior or attitudes

which are gender-specific initiate improvements yourself, and support them in their efforts to do so.

Command and supervisory officials shall:

- Issue and enforce clear orders on prompt and effective responses to domestic violence calls and on the legal equivalence of domestic violence to other forms of assault;
- Provide regular training to officials on addressing violence against women;
- Establish a special police unit for domestic violence calls, and consider assigning social workers to serve in such units with police;
- Establish close liaison and joint strategies with medical professionals, social agencies, local "safe houses", and relevant community organizations;
- Assign female officers to deal with female victims of crime;
- Review recruitment, hiring, training and promotion policies to remove any gender bias;
- Assign female officers to carry out all searches and supervision of female detainees, and separate female from male detainees;
- Provide for special detention facilities for pregnant women and nursing mothers;
- Adopt policies prohibiting discrimination against officers on the basis of pregnancy or maternity;
- Establish open channels of communication for complaints or recommendations by female officers on issues of gender bias; and
- Increase patrols and preventive action in high-crime areas, including foot patrols and community involvement in crime prevention, to reduce the risk of violent crimes against women.



Female Criminality in the Arab World Inspected from a Human Rights Perspective

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I- History & Theoretical Background

Female prisoner from Kamis Moshit,¹ a married woman in her 20's, murdered a young man in her house; subsequently she was sentenced for seven years of jail with hard labor.

Western human rights organizations² heavily criticized the ruling of seven years, perceiving the sentence as arbitrary since it lacks accurate consideration and study of the motives and context involved in the crime. The harassment she endured and her right to self-defense, dignity and well-being³ were underestimated. Furthermore, Western organizations questioned the impartiality and transparency of the judicial system that lacks a written detailed penal code and criminal law that have specifications for punishment in the different categories of crimes. In addition, these organizations raised a concern about the level of respect to human rights and the preservation of the dignity of the people, labeling this case as a breach of human rights according to international norms.⁴

This case is one of many that are taking place in the Arab World where the rate of female criminality has been sharply increasing in the last three decades⁵ and where the efforts to prevent or study these issues are negligible.

Minimal research in this field is being conducted in the world, particularly in the Arab region; the cause can be traced back to three major issues. First, the Arab World is mainly constituted of third-world countries where the state is, or should be, primarily preoccupied in providing its people their basic rights (food, shelter, clothing, health, etc.). This fact prevents the state from allocating enough time and resources to solve issues such as female criminality. Second, the fact that the rate and gravity of male criminality are usually higher than female criminality; therefore, time and effort allocated to research male criminality issues are given priority. The third reason is the underestimation of the competence and proficiency of women in the Arab World. This misled presumption also inversely assumes that since women are not as physically capable as men then their capacity to commit crimes is therefore lower. This misperception is further reinforced especially considering the higher level of affection most women possess. Traditional perceptions of women as the image of devote motherhood, constantly preoccupied with and providing care for their children, is still the norm.⁶

Crimes committed by women are generally different from and less violent than the ones committed by men, as well as different in type. These crimes can be classified into five

main categories: theft, prostitution, drug use & trafficking, manslaughter & forgery. Amongst these categories, prostitution is the most rampant and is labeled as "the symbol of female criminality."⁷ Prostitution, a very appealing topic to the media, not only affects the offenders concerned, but females in general.

II- Causes of Female Criminality in the Arab World

Linking the causes of female criminality with the lack of human rights concerning women reveals diverse reasons that would provoke crimes and can assist in establishing ways to avoid them. One proactive crime prevention measure can be accomplished by guaranteeing the rights and the freedoms of every human being. The last century witnessed various atrocities; as a result, principles of human rights earned value because of the excessive need for "the recognition of the inherent dignity and the equal and inalienable rights of all the members of the human family in the foundation of freedom, justice, and peace in the world."⁸ The aim of human rights for everybody is to improve the condition of humanity by providing equal rights to the people in the hope of minimizing the probability of acts of violence against society and its members. Thus, the main causes that drive an Arab female to commit a crime would be: poverty, gender-based violence, education, patriarchal society, discriminatory laws, political conflict, abnormal family bonds and the economic situation of the society. Subsequently, each factor (considered as a direct or an indirect reason for female criminality) is discussed in parallel with the consecutive rights mentioned in various human rights documents.

Poverty

The concept of "feminization of poverty" draws a link between criminal women on one side and poverty on the other.⁹ This concept assumes that women are pushed to commit criminal acts as a result of their economic situation, which in return jeopardizes the normal flow of their life and the lives of their children. Economic losses, unemployment and poverty increase the risk of women's involvement in criminal activities especially in the case where women are single or widowed and lack moral and economic support; hence, they mainly resort to theft and prostitution.

Many women, who commit crimes because of poverty, are victims of triple jeopardy: class, race and gender oppression. Many of the female offenders have been victims themselves and the problem is that our society is not willing to address these different layers of victimization. As a result, females are labeled as offenders in opposition to what they really are: victims.¹⁰ The state has the duty to remedy this grievance and insure adequate conditions of living, which are mainly food, shelter, clothes, and health

(Article 25 of Universal Declaration of Human Rights, UDHR and Article 11 of International Covenant on Economic, Social and Cultural Rights, (ICESCR)), social security (Article 22 in UDHR and Article 9 in ICESCR) and decreasing the level of prostitution (Article 6 in Convention on the Elimination of all Forms of Discrimination Against Women, CEDAW).

Gender-Based Violence

The most predominant factor behind female criminality in the West and in the Arab World is considered to be psychological distress. The main cause for this distress is gender-based violence (GBV) perpetrated by men that comes as a result of the historical submission of women to men. In some cases, the reaction to GBV is translated into acts of crime that can be justified when regarding women's right to self-defense. "If we look at the reasons behind men killing their wives we find that most of them are silly reasons. On the other hand, we find that in the case of wives killing their husbands, the motives are usually self-defense or defending their children. Such women are usually living under abusive conditions, either mental or physical, and in most cases they are both."¹¹ This abuse is internationally remedied by attempts to eliminate torture, cruel, inhuman or degrading treatment according to Article 5 of the UDHR 5 and Article 7 of the ICCPR.

Education

Females with low educational levels are more prone to commit crimes than educated ones; therefore, there is a necessity to ensure respect for the right for women to a free and obligatory education in the elementary level at school as explained in Article 26 of the UDHR, Article 10 of the CEDAW and Articles 10 and 13 of ICESCR. The marriage of women at an early age jeopardizes their level of education and consequently affects their knowledge of responsibilities in marriage and maternity.¹²

Patriarchal Society

In ancient times, women have taken the position of the obedient homemaker who seeks the wellbeing of the children.¹³ Whereas, the father is the strong figure of society who insures the income of the family, who takes tough responsibilities requiring physical strength, and participates in wars. As years went by, women decided to acquire their equal status with men. The struggle for equality took many shapes and dimensions in the patriarchal societies of the Arab World whether talking about equal rights or about compliance in duties with men. Again, one of the roles that women took was the participation in combat during the wars of the 20th century, which led to involvement in violent and aggressive acts resulting in crime.

Crime was always found under the list of masculine traits, tending to link powerful images of men with crime; how-

ever, the equality of women can always be aspired through feminist theories and from Articles 1 and 2 of UDHR, Article 3 of ICCPR and Articles 3 and 5 of CEDAW.

Discriminatory Laws

The fight for equality and the attempt to eliminate discrimination requires the amendment of Arab laws that are unjust especially when it comes to family law, which entails divorce, marriage, custody and inheritance. Family law in the Arab World presents an egregious example of discrimination that denies women many rights that are protected under international human rights law, where the legal standing of women is undermined both in private and public realms.¹⁴ The right to recognition as a person before the law is set in Article 7, 16 and 26 of the UDHR.

Political Conflict

As mentioned before, the large number of wars and conflicts during the last century in the Arab world required women to endure and to participate in combat, which exposed them to a higher level of violence and made them more prone to commit crimes in society. Similarly, the exposure of youth to the atrocities of the wars and to violent situations can be a factor behind the increasing rate of crime in society. Hence, the long years of civil wars, world wars or historical wars in the Arab region let women witness continuous horrible atrocities and unjust acts where the value of the human being deteriorated. Those acts against humanity did influence women to take revenge and ensure their self-defense through crimes; especially in order to protect their children. The adverse situation of women in the Palestinian territories is an example of women under conflict and sometimes armed-conflict.

Psychological stress and trauma, resulting from political conflict or instability, drives women to be more vulnerable and at risk to commit crimes. Psychological stress and trauma can be aggravated by many factors, namely: the loss of home, poverty, loss of family members, witnessing violent acts, abuse, need to struggle for food, loss of control, loss of personal choice, loss of social networks and community.

Abnormal Family Bonds

"Low parental support and affection predicted persistent hitting and predatory violence in females."¹⁵ Again, the control theory of the 1980's illustrates that girls are more attached to their parents;¹⁶ therefore a dysfunctional home would increase the rate of female criminality because ineffective family interaction and child-parent relations are keys to antisocial behavior. The CRC¹⁷ and the CEDAW¹⁸ (Article 5) fight abnormal family bounds by calling for a "family education including a proper understanding of maternity," and the right for a "healthy environment at home."

Economic Situation of the Society

The emancipation of women and increased economic opportunities for women allowed women to be as crime-prone as men.¹⁹ Sociological factors and environmental influences appear to have greater credibility in explaining criminal behavior.²⁰ Therefore, the deteriorating economic situation of societies, especially in countries with political conflicts like Lebanon, Palestine, Egypt and Iraq, women had to contribute to the income of the family by joining the workforce. Two deficiencies accompanied this necessity, first that women with low levels of education had to resort to illegal practices, such as prostitution. Secondly, females had to deal with a larger unit than their family, which increased the level of interaction and subsequently the crime rate. Crimes that women commit are considered to be final outward manifestations of an inner medical imbalance or social instability. Their punishment appears to be aimed principally at treatment and "re-socialization."²¹ The right to work and to adequate and equal conditions of employment is set in Article 23 of the UDHR, Article 11 of CEDAW and Articles 6 and 7 of ICESCR. To sum up, as women attain social positions similar to men their pattern of criminality will also become similar. However, the rise in crime is predominately among younger offenders.²²

III- Judicial System / Right to a Fair Trial

When talking about crimes, we can never disregard criminal proceedings and the judiciary system that affects negatively or positively the percentage of crime throughout history. A system that works on developing and guaranteeing the rule of law would limit the effects and consequences of crimes. On the contrary, a bias judiciary system would pave the way for an increasing crime rate where the offender, not sentenced or not punished fairly, has the liberty to commit more crimes. Usually, bias judiciary systems in the Arab World rely on religious courts (especially Muslim) that undermine the rights of the females suspected of committing a crime and often discriminating against women in the judgment while disregarding the specifics and context of the act. In brief, women are a minority in the judicial system where the punishment of female offenders perpetuates gender stereotypes.²³

In any case, international standards of human rights stress that everyone charged with criminal offense should be entitled to a fair and public hearing within reasonable time by an independent and impartial tribunal established by law and granted the following five measures:

- be informed about the nature and cause of the accusation against him/her;
- have adequate time and facilities for his/her defense;
- defend him/herself or get free legal assistance if required;
- examine and have examined witnesses against him/her and have free translation assistance in the court if required.

These measures and conditions are set in Articles 8, 9, 14 of ICCPR and Articles 8 and 10 of the UDHR.

However, Arab female offenders are subject to discrimination in their right to the presumption of innocence in courts that are usually presided over by male judges (Article 15 of ICCPR). Arab justice systems exaggerate the crimes of women²⁴ because, as already stated, females are usually presumed guilty until proven innocent.

IV- Effective Remedies and Precautions

Decreasing the rate of female criminality in the Arab World, or preventing an increase in the percentage, can be ensured through the implementation of many remedies and measures that should be taken by the state, the private sector and the civil society.

The recommendations below that should be made to the state and the private sector are: Firstly, emphasizing rehabilitation of offenders in prison to prevent further criminal recurrences once released is one of the main prevention measures, in addition, receiving adequate social and community programming during imprisonment as stated in Article 10 of ICCPR. These programs could help prevent women from continuing to commit crimes. Secondly, developing policies to decrease the poverty rate to alleviate the unfortunate economical situation in the country, with an aim towards a social welfare system. Thirdly, minimizing the involvement of women in political crimes, especially in times of conflict and wars, is also an important point to stress. Fourthly, attempting to decrease the availability of illegal substances in society²⁵. Primarily, promoting change in cultural attitudes and customary practices in the population to lessen the impact of the patriarchal structure in Arab society by ensuring gender equality on all levels. Again, more research should be conducted in this field in order to analyze the real causes behind each type of crime and work separately on its prevention. Finally, the state should enforce the application of obligatory and free education in school that would raise awareness of the youth on the consequences of the crimes. Again, education would act on decreasing the rate of prostitution by qualifying youth with knowledge that would help them have more skills and expertise to get decent jobs.

Civil society and NGOs should intensify their efforts to spread more programs about gender mainstreaming, aiming for public awareness and for women empowerment; with the additional aim of overcoming social constraints for non-violent behavior. Then, spread the principles of human rights in society in order to develop humanitarian feelings in people and prevent them to act in the violent language of crimes. Again, empowerment of women accords certain advantages such as employment or educational preferences in areas where women have historically lacked access or dif-

ferential rights such as paid maternity leaves, or the state and criminal justice system's cooperation in enforcing laws that protect women.²⁶ It is the responsibility of society not to further fear and alienate women who act violently, but to be aware of the factors that lead to violent behavior. In addition, social policy developers must identify these risk factors and develop programs to prevent and intervene before violence occurs; especially, outreach programs to identify individuals who are at a high risk for violent behavior in order to prevent criminal acts. Finally, grant women equal conditions of employment and work.

The recommendations that can be addressed to the judiciary system are: to work on the enforcement of the rule of law for the insurance of a sound and independent judiciary with competent courts that act impartially to gender, and that develop a detailed body of criminal law linking a specific penalty to each type of crime committed in diverse circumstances in order to avoid arbitrary judgments, especially to vulnerable people. Again, make sure that the proceedings of the case take place in a competent court. Guarantee impartiality in the courts, which will eliminate the current misperception that women are seen as guilty until proven innocent, not the opposite. This can also rely on the fact that women charged with offences is more dramatic today because the justice system has been more lenient on female offenders in the past.

V- Conclusion:

The question that can always be asked is: Why do human beings commit crimes? Is it part of the "survival of the fittest theory"? Do humans act to satisfy survival instincts when committing crimes? Is it a state of psychological disorder or is it simply that the criminal is victim to numerous pressures from harsh conditions of living and from other people who could push him/her to act violently?

Since it is a fact that crimes have huge consequences on society and individuals, it is crucial to pay attention to crimes committed by women in the Arab World and try to figure out the causes; however, studies and analysis mainly victimize women. There is a certain trend of normalization of violence from both sexes whereby very few rebel against gender-based violence. Analyzing the increase of female criminality in the last decades from a human rights perspective, many questions should be constantly asked and acted on: Do criminal women have fewer rights than criminal men? Do Arab states abide by the UDHR standards during trial? Hence, "if the state fails to act reasonably through the processes of the criminal law to protect women against violence, to punish the violators and to deter further violations than the relevant state is violating International Human Rights." In summary, "the lack of insurance of economic, social, cultural, civil and political rights forces many individuals in society to commit crimes."

Endnotes

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Gender and Crime

Representations and Constructions of Deviant Femininity in Arab Cinema

■ Nada Addoum

Film Critic

To comprehend the mythos of an era we must investigate its mass culture rather than its canonical or "avant-garde" forms of art, for it is within the mass culture that we will unearth the era's vision of woman.

Nina Auerbach

Within the practice of film criticism in the Arab world, the task of providing a comprehensive view of the industrial, socio-cultural, and aesthetic factors which contribute to particular cinematographic representations of class, gender, and sexuality has never been adequately tackled. This article, however, cannot and does not pretend to fill this gap. Instead, it seeks to benefit from the opportunity present in the topic of "female criminality in the Arab world" to start examining the forces and institutions of bias, the cinematic history of various cultural groups and the relationship between film and Arab' culture's definitions of femininity and masculinity.

For a reading of audiovisual products from such a perspective, we must challenge everyday notions of criminality and gender stereotypes about those who violate the law. In this way we can encourage thought and debate about crime and punishment and understand them as social constructions carrying different meanings for different communities.

As we explore how crime is conceptualized within a culture by comparing notions of lawbreaking and violence throughout history and in different cultures, and grappling with the different ways of perceiving deviance, we can draw two conclusions: First, crime is "constructed" and conceptualized by the state and powerful public institutions; and second, the mass media (newspapers, television and film, fiction and non-fiction) is the powerful force-space in which most of us encounter crime.

In its rudimentary sense, crime is that which threatens or violates the social order and the law. Yet, is the law defined simply as "most processes of social control" as anthropologist Bronislaw Malinowski would have it, or as "social control through the systematic application of the (physical) force of politically organized society" as Radcliffe-Brown defines it? If Malinowski's stand is adopted, in the urban and 'postmodern' societies, does increasing ambiguity about what defines the moral norms challenge the dominant moral order (where crime and the law are perceived in absolute terms)? One might go so far as to wonder if crime is necessary in binding members of society together, shocking people's sentiments and thus uniting the majority, as Emile Durkheim suggests. In other words, is crime necessary for the social order, and do representations of crime serve

the purpose of maintaining the social order through conformity, obedience, and self-censorship?

Ironically, fear of crime often translates into fear of men. Scholarship today is only just beginning to fully address issues of gender and crime. Although feminist criminologists and other social scientists who study crime are making female offenders visible, their work still reinforces the concept of the male as the "universal" criminal and of women as "gendered", thereby reinforcing pre-existing gender taxonomies and establishing further that the study of crime cannot be separated from the study of its representation in the mass media. Most ideas about legality – whether dealing with potential criminals or victims – criminals and deviance, can be seen through the widely disseminated representations of crime. A study of the media itself, as an institution in people's lives and in spectators' minds, is at the root of a serious reflection on the production and perpetuation of stereotypes about "criminality".

Women, Crime and Cinema

Although, as Christine Gledhill notes (1994, p. 12), "the twentieth century has seen an acceleration in the processes of the emancipation of women and an intensification of the contradictions surrounding the sexual division of labour and reproduction, so that women perhaps more crucially than before constitute a consciously perceived social problem," progressive representations of women in cinema are still rare, and this does not only apply to cinema in the Arab world. Narrative structures often reinforce and validate women's position in Arab culture – submissive to the patriarchal and state order.

The seduction of men is equated with female autonomy and agency; hence the "independent" woman is often viewed as a manipulator of male impulses, and the catalyst of the male hero's downfall. Independence positions women on the margin and outside conventional roles. Therefore, having rejected her conventional place as wife and mother, the woman begins to represent a threat to patriarchal family structure, to masculine accomplishments, and perhaps most significantly, to the homo-social relationships established between men. Hence, as part of the cultural "normalization" project, female independence needs to be reigned in, or redirected in deference to the moral order, in order to reinforce patriarchal authority and power.

An association between women, criminality and sexuality is evident in two stereotypes present in the wide-ranging corpus of film this article reviews: the femme fatale and the prostitute. The working woman often ends up a prostitute or a dancer, (Nadia Lotfi in *Abi Faouq al Shaggara*² and Yossra in *Al Ithab wal Kabab*³) which often functions to reaffirm the extent to which women's work involves sexual performance. The criminality of the prostitute can be set

against the femme fatale's more mysterious and glamorous exploitation of her own allure. Both are involved in deceit, yet the prostitute is set to signify a position of relative "honesty" (the tart with a heart). Therefore, the role of the woman as 'sexual' alternates between the corpse (Nadia Lotfi's character) that society does not grieve for, and the good-hearted caricature of a woman (Yossra's character). Of course, it is important to note that a prostitute is a symbol of transgression from both the law of the state and of patriarchy.

In *Abi Faouq al Shaggara*, Abdel Halim's character, Adel, is seduced out of his bourgeois ennui by Firdauss. He follows her and forgets all about his "real" love for Mervat Amin's character. Accordingly, the sexually expressive woman, deviant as she is, is brought under ideological control. However, the form of control varies: throughout the film, the femme fatale is either re-inscribed into the dominant patriarchal order (usually as one passive half of a heterosexual couple), or killed (often by the hero himself) if her transgression was too great (the divine manifestation of patriarchal, institutionalised religion).

The representations of moral crimes committed by women work within a variety of femininity subtypes, and are defined and re-defined through the body, and through the invocation of and transgression from female appropriate behaviours. Some femme fatale figures are multiple transgressors of state law and moral order. For example, Hind Rostom's character in *Bab Al Hadid*⁴ is not only sexually promiscuous, but also a pickpocket; she is a "castrating woman" and a thief. The film noir structures itself around Youssef Chahine's male protagonist and slowly reveals the mystery of womanhood – specifically, the evilness of the femme fatale. It recalls Babener's definition of film noir as the "paranoid fantasies about the threat to patriarchal authority posed by weakened manhood, female sexuality, and feminist empowerment." Needless to say, Rostom's story ends in rape and murder committed by the obsessive peeping tom, Chahine.

In the 2004 film, *Khaly Faransa*⁵, Abla Kamel and Mona Zaki play the role of two 'cute' criminals who are neither outlaws nor criminals, but hero-bandits. These heroic outlaws are considered criminals by the authorities and honourable, moral women by different local communities. Their deviant characters seem like a variant of the populist, action-hero, modern-day Robin Hood, who, in order to restore justice, must break the law. The position of the heroine in relation to state institutions is often problematic, yet is always invariably normalised and 'made legal' by the hero (at the end of the film, Mona Zaki marries Amr Waked's character). Although the film's structure and narrative trajectory centre on the perspective of the woman, as the story progresses, it takes the form of a metaphorical striptease;

the peeling off of the layers of "disguise" in order to reveal the "good" or "bad" woman underneath. And as expected, these women are in fact "good", with the narrative marginalising their representation further, all the while pretending to empower them.

Threats to Masculinity

A question remains unanswered: At what point does a powerful, onscreen heroine cease to be exciting or compelling and become actively threatening to the audience's masculinity? What measures will be taken to reverse this perceived threat and make it manageable?

The *Raya wa Sekina*⁶ story is a prime case study of unreformed social deviants which may shed light on this issue. Decades after making their first appearance in the 1953 Egyptian cinematographic adaptation of director Salah Abu Seif's story, Raya and Sekina continue to cause trouble. Indeed, their names have entered popular culture as shorthand for women engaged in overt criminality. Last year, a televised series sporting their names was broadcast during the Ramadan fasting season. In some sense, this TV appropriation of a narrative, initially a play turned film, represents the latest in a succession of efforts to limit and/or redefine the meaning of Raya, played by Abla Kamel, and Sekina played by Somoya Al Khashab, and their status as outlaws. The story reads as an exploration of female violence, yet is embedded with the conservative message that female criminality must be contained because it erodes femininity.

In refusing to act like "ladies", Raya and Sekina challenge the gender balance and the social order based upon it. Many spectators and critics decried what they perceived to be gratuitous violence performed by the two women and ignoring, or at least understating, the underlying causes for their outrage. Furthermore, the series' critics claimed it to be un-befitting of the Holy Month and found in the male characters (nearly all of whom seek to apprehend and punish these women) an allegory showing that a woman's duty to her country is to relinquish personal autonomy. Raya and Sekina's crime, thus, is their attempt to generate a new signifying practice and, in the process, expand and reconfigure Egyptian Muslim citizenship.

In the register of gender relations, '*Raya wa Sekina*' provokes gender identity reification, as opposed to cross-gender identification. They challenge the state, but their rebellion also challenges the seemingly coherent category of gender and violence. Unlike the cute woman hero-bandit, they are criminals, and their criminality can be redressed only by the reinstatement of "appropriate" gender boundaries.

Gender categorization designates "appropriate" and "inappropriate" behaviors, and the power of the law is that it posits a representational schema that reinforces this dif-

ferentiation. The label that Raya and Sekina are "bad" women, also stigmatizes them as "bad" citizens. Eventually, however, Raya and Sekina both take pride and pleasure in their knife-slinging, refusing to be passive before a law that defines in advance what all women must be. Left unpunished, the two women represent a significant social threat, beyond that of state law. Hence, Raya and Sekina's transgression signifies more than mere bloodlust. They take on roles traditionally occupied by men in order to shock.

Moreover, Raya and Sekina exceed the parameters of acceptable citizenship, and the state must respond by restoring "order". Left unrestrained, the two would embody an alternative practice of citizenship that would challenge not just the law, but the very definition of "acceptable freedom".

The audience's exaggerated reaction demonstrates the anxiety provoked by female outlawry. "The unrestrained body is a statement or a language about unrestrained morality," historian Bryan S. Turner notes, and "to control women's bodies is to control their personalities, and represents an act of authority over the body in the interests of public order organized around male values of what is rational." (Turner, 1984)

One twist employed by Raya and Sekina which further confuses the male/female, citizen/criminal distinction is their use of disguise. Disguise serves to signify that the success of their story relies on their ability to stay out of sight, taking the police years to catch on to them. They re-create themselves through exchanging clothes with their victims, and cross-dressing, showing the creative possibilities of interchangeable subjectivities. Rejecting their old restrained selves, both women divest themselves of what signifies lawful personhood. Marjorie Garber (1992, p. 17) argues that transvestism functions as a "third", disrupting dualistic schemas and causing "category crisis". Therefore, transvestism can be perceived, in Garber's judgment, as "a space of possibility structuring and confounding culture: the disruptive element that intervenes, not just a category crisis of male and female, but the crisis of category itself." Such a disruption has implications for the various laws which outline normative behaviour. Garber adds that, "the binary male/female, the ground for the distinction (in contemporary eyes, at least) between 'this' and 'that', 'him' and 'me', is itself put in question in transvestism; and a transvestite figure, or a transvestite mode, will always function as a sign of over-determination – a mechanism of displacement from one blurred boundary to another". (1992, p. 16)

The women get arrested, and sentenced. Thus, the law re-establishes "order", reinforcing the idea, through this choice of narrative, that the production of such criminality is one of the methods through which the nation affirms itself, its borders, and its "rightful" subjects.

Many more issues can be examined, whether through the above-mentioned analytical tools or through a mere reading of the gentrification of offences committed by deviant women in Arab cinema, and the opposing images of mas-

culinity. Additional readings will hopefully lead to the recognition of the importance of thinking about cinema beyond the survey practice, as a mirror which constructs and displays society's value systems.

Endnotes

1. Using the term with assumption that such a unified category exists.
2. *Abi Faouq al Shaggara* 1969 directed by Hussein Kamal recounts the story of Adel (Abdel Halim Hafez), a college student, who goes to Alexandria to spend his summer vacation there. The conservative attitude of his girlfriend Amal (Mervat Amin) leads the disappointed Adel into a club one night. He sees Firdaus (Nadia Lotfi) the dancer for the first time. He soon falls in love with her and then moves into her apartment. The change in lifestyle and the shocking love story he shares with her, prompts his father to intervene. It is then that Adel confronts Firdaus' darkside, saves his dad and returns to Amal.
3. *Al-Ithab wal Kabab* directed by Sherif Arafa is a farce denouncing the absurdity of bureaucracy in modern Egypt. Adel Imam, Egypt's leading comic actor, is a father who wants to move his son to a school closer to home. He goes to El-Mugamaa, the center of Cairo's monolithic bureaucracy, to pick up the required documents. Frustrated by the lack of response, he ends up attacking a fundamentalist official and, when armed police respond to the situation, a machine gun accidentally finds its way into Imam's hands. As a terrorist, his demands to the Minister of Internal Affairs are simple: Shish Kebab made of high-class lamb. After having a hearty meal with his hostages, however, his demands become more political.
4. *Bab Al Hadid* directed by Youssef Chahine portrays how Cairo's main railroad station is used to represent all of Egyptian society. We see a community comprised of luggage carriers and soft-drink vendors living in abandoned train cars. A crippled newspaper dealer, Kinawi (played by Chahine himself), falls in love with the beautiful but indifferent Hanuma (Hind Rostom), a lemonade seller who only has eyes for the handsome Abu Sri'. Swept away by his obsessive desire, Kinawi kidnaps the object of his passion, with terrible consequences.
5. *Khalty Faransa* 2004 directed by Ali Ragab recounts the story of Faransa (Abla Kamel), a drug dealer who is in charge of raising her nieces Batta (Mona Zaki) and Wezza (Maha Ammar). Batta is forced to drop out of school to pursue her aunt's career and she devises a series of futile attempts to escape this lifestyle. A humorous confrontation between Batta and Faransa leads to their arrest and Batta finds herself in the middle of a police scheme to bring down a criminal.
6. *Raya wa Sekina*: Raya and Sekina are among that select group of criminals whose stories have entered the realm of Egyptian folklore. With the assistance of their husbands, they hatched a scheme that would result in the murder of about 17 women who were killed, stripped of their jewellery, and then buried in the basement of a building. The series of crimes was performed against the backdrop of the 1919 revolution, beginning in Alexandria in November 1919 and continuing for a year. Finally arrested, they were tried and sentenced to death in 1921.

The story has been subject to a number of adaptations. In 1953 it was adapted for the screen as the film, *Raya wa Sekina*, scripted by the late Naguib Mahfouz and directed by Salah Abu Seif. The

plotline focused on the police officer (Anwar Wagdy) leading the investigation into the murders while the two title characters (played respectively by Negma Ibrahim and Zouzou Hamdi El-Hakim) appeared only fleetingly.

In 1988 they re-appeared in the play starring comedian Soheir El-Babli and the popular singer Shadia as the title characters. With stars in the title roles, the two women were definitely the most visible and even depicted as reasonably sympathetic.

The most recent adaptation, a television serial (with Abla Kamel and Somaya Al-Khashab), pays far greater attention to the social and psychological motives which led the two sisters into their life of crime. Directed by Gamal Abdel-Hamid, and scripted by Mustafa Muharam, the serial is based on the 600-page *Regal Raya wa Sekina: Sira Siyasiya Wa Igtimaiya* (Men behind Raya and Sekina: A Political and Social Biography), by Salah Eissa, editor of the cultural weekly *Al-Qahira*.

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Female Violence during the Egyptian Legislative Elections 2005

Egyptian Women *Baltajiya*

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The 2005 Egyptian Legislative Elections turned out to be a beneficial time for the *baltajiya* (bouncers in Egyptian dialect). The *baltajiya* is a group of muscular men or women hired by candidates to attend electoral rallies and support them. They are also hired to beat up and harass opponents and their supporters.

The trend of spending lavishly on votes is espoused by wealthy candidates (described as electoral bribery), and has contributed to the expansion of the *baltajiya* phenomenon. Profits are fast and generous. A *baltaji*'s salary varies from 300 to 500 Egyptian pounds on a single election day, which is equivalent to the monthly salary of some employees.

During the period when local newspapers were conducting what they termed "scientific research", the bribery rate was estimated at 5 billion Egyptian pounds (around \$820 million). Local newspapers and websites, such as the "Electronic Opposition Movement", unearthed some details about how these *baltajiya* are paid to 'defeat' an opponent, or to collect overdue fees and cheques from supporters.

What is of particular interest is that the majority of these gangs are usually led by divorced women who had suffered at the hands of their former husbands, or who had been

exploited in their former jobs. Their experiences have apparently led them to vow revenge on men by working as *baltajiya* and *foutouwa*. Some authors, however, consider this to be a misrepresentation of the *foutouwa* concept, which is commonly mentioned in Egyptian literature, including Nagib Mahfouz's novels. It is based on the idea of someone securing the rights of the marginalized in return for money. Recently, this concept has been replaced with the appalling notion of the *baltaji*.

The Origin of the Word *Baltaji*

The word *baltaji* has become popular and entered common usage in Egypt since the beginning of the elections more than 40 years ago. The nature of their work is to violently prevent other candidates' supporters from voting. Sami Farad, author of the Farad Dictionary of Egyptian Slang and Rural Expressions for Industries and Artisans, states that the word *baltaji* is of Turkish origin, with its roots in the word "*balata*", that is, that which cuts down or the instrument used to cut down trees. During Ottoman rule, the *baltajiya* soldiers led the conquering forces who used to break through the fortress walls of enemy cities.

He added that, "The word *baltaji* didn't have negative connotations; people were named after them such as the

baltaji Moustafa Bacha, who was the ruler of Egypt from 1752-1755 before the end of Turkish rule. Also, during the era of Mohammed Ali, the Egyptian ruler, the *baltajiya* forces existed in the army. But in the first half of the 20th century, the word *baltaji* acquired a negative connotation, referring to a reckless and dangerous person. This new meaning lasted until later in the century, before an end was put to the work of *baltajiyas* and their frightening tactics. The word was no longer a synonym for criminal.”

Najlaa Al Luxe and the Bacha

Mohammad Al Sayed, editor of the “*Hamassouna*” website, claims that a group of *baltajiya* was hired to beat up on Muslim Brothers’ supporters in one of the local elections. The Brothers had given Mr. Al Sayed a tape recording of a conversation between drunken *baltajiya* accidentally recorded in Port Said at the end of election day. Unknowingly, the *baltajiya* had confessed important details about their employment and remuneration for the election day attack on the Brothers. The conversation was as follows:

- How many are you?
- We are a big group and Najlaa El Luxe is with us.
- Who is Najlaa El Luxe?
- *Bacha*, is there anyone who doesn’t know Najlaa El Luxe?
- How much did you earn for what you did; because we heard that you mugged the Brothers!
- 200 Egyptian pounds each, but Najlaa El Lux took 500, and she received it from the Bacha himself (the Secretary-General of the party) who said she had a vital role to play in the elections.
- So Najlaa took more than you did?
- Yes, but we were humiliated and told off. People attacked us. Some of us were even sent to the hospital.
- Who paid the fees?
- We threatened the ones who hired us, and the *Bacha* had to go pay the Al Souleiman hospital fees in person.”¹

Wael Abbas, editor of “*Electronic Awareness*”, alleges that there are a lot of pictures and video tapes showing money exchanges and agreements between the *baltajiya*, governing party candidates and their representatives, in addition to scenes of ruthless women molesting young girls, especially those of the Muslim Brotherhood. In addition, there are pictures of the vehicles transporting the sword-bearing *baltajiya*, showing them deliberately breaking laws. Many of these images were published in the local press.

This phenomenon is not confined to Najlaa El Luxe in Port Said, but has spread to many other areas and now includes the majority of regions in Egypt. Very quickly, the *baltajis* have become a card in the electoral season. They are chosen based on specific criteria, especially their ability to ensure quick service. They are paid between 30 to 100 Egyptian pounds (\$5 to \$16), with rates sometimes reaching 700 Egyptian pounds (\$100).

Mohammad Al Sayed, quotes M. Adel, a member of the Brotherhood in Cairo, saying that there was no reaction from the Brothers following the *baltajiya* attack which took place in the first phase of the elections. “However, during the subsequent period, the Brotherhood decided to defend itself. The idea was to form ‘prevention groups’ within each candidate’s camp, enabling them to face the *baltajiya* without the use of weapons.”² This reinforces what the leader of the Muslim Brotherhood had said to the local press, accusing the *baltajiya* of the role they played in the campaign, and claiming that the Brothers were merely protecting themselves.

However, the problem many young Muslim Brotherhood members face in the conservative rural provinces is dealing with the dangerous female *baltajiya* who harass female relatives by pulling off their veils and verbally abusing them.

Mrs. Shar Al Tareek

Mrs. Shar Al Tareek, as she is nicknamed by her supporters, is considered to be the most famous *baltajiya* in Al Jiyara area in Cairo. Her real name is Kaydahom, and she denies working as a *baltajiya* for unworthy causes. She justifies her occupation by saying, “Our job is to secure people’s rights. The client looks to us to defend him. For example, if a con-man gives him a bounced cheque, he hires us to make sure he’s refunded. This is why our work is so important.”³

When talking about practicing *baltaja* or *foutouwa* as a profession, Shar Al Tareek, who is a simple woman, says, “Men are unjust with me, upon seeing me they say I’m a bad woman. I once married a man who was unemployed and who divorced me a few days later because I bit him. Since then, I pledged to take revenge on all men.”⁴ She later said that she has found in the *foutouwa* what she needed; it provides her with her only means of living since she has no one to pay her bills. Nevertheless, she did not deny rendering her services for free at times.

Saksaka and Majanes: The Law into Their Own Hands

Be cautious if you come across a Saksaka on the road. Woe unto the one who falls victim to “The Wild Saksaka”, as her supporters call her. She, like Shar al Tareek, says, “Our job is limited to chastising the unjust, so we are a court that judges and follows through with its verdicts in a short period of time instead of procrastinating like the normal courts. A person may ask us to punish a neighbor who does not respect their customs, or causes constant harm to them. Or, we are asked to take revenge on a husband who tortures his wife for no apparent reason.”⁵

According to various sources, there is also another *baltajiya* by the name of Majanes Al Dahel, who was alleged-

ly imprisoned because of a fight that ended in death. Majanes Al Dahel is a *baltajiya* for a good cause and that is why she abides by the “League of *Baltajiya*’s” official price list for its services, in addition to special prices for mass requests:

- Dispraise: 800 Egyptian pounds
- Dispraise and rudeness: 1600 Egyptian pounds
- Enormous scandal: 3000 Egyptian pounds
- Normal scandal: 250 Egyptian pounds
- Disgrace: 500 Egyptian pounds
- Hit with an axe: 400 Egyptian pounds

Naphthalene *Baliyeh*, another famous *baltajiya*, denies the fact that her work is vicious. She describes herself as having a good heart, which is why she gives discounts for mass requests (a demand for multiple operations) even though it goes against the “League of *Baltajiya*’s” official price list. She asserts that she does not hesitate to help the poor, performing some operations free of charge, especially since there are a lot of unjust people around, “I want to hit them for no reason; there are a lot of ruthless faces that deserve to be slaughtered.”⁶

Last but not the least, there is Sister Mahboulat Al Chawareh, who goes by her real name. She’s among the *baltajiya* known for their use of the hammer, and who perform impeccable Kung Fu techniques.

Mahboula states that she is happy to have remained unmarried, particularly after seeing her mother’s misfortune with her husband, who used to beat her for no apparent reason. Accordingly, Mahboula decided to avenge her mother and all women; her crimes are violent and lead to permanent disability. Ironically, the victims of most of these crimes are women themselves, who, in turn, specialize in becoming *baltajiya*.

The *Baltajiya* and Unemployment

The Egyptian government does not conceal the rise in unemployment; but indicators differ between governmental sources and those of other economic experts. The government attributes this bad phase to the continuous fluctuation in the population of 72 million people, and to the inability of the economic market to encompass an increasing labor force of fresh graduates emerging annually.

Official statistics indicate that the unemployment rate in Egypt has reaches 9.9% of the work force; around 2.4 million people. On the other hand, other economic sources estimate the unemployed rate to be 4.5 million, while yet another source estimates it at 6 million.

Specialists say that the problem of the *baltajiya* is likely to increase because the rate of unemployment is on the rise and Egyptian students graduating average around

160,000 a year, while the number of secondary school diplomas holders is around 600,000. Thus, 350,000 graduates are expected to enter the job market, 150,000 of which are PhD holders.

The International Monetary Fund states that Egypt must achieve a growth of 6% to be able to find 600,000 job opportunities for the new graduates and the unemployed. If that happens, more people will use their time more wisely and desist from joining the *baltajiyas*.

Endnotes

1. <http://www.alarabiya.net/Articles/2005/12/01/19116.htm>
2. *Ibid.*
3. *Ibid.*
4. *Ibid.*
5. *Ibid.*
6. *Ibid.*

Egyptian Pharmacist Plots to Kidnap Company Owner’s Daughter

Authorities in Alexandria arrested a female pharmacist for hiring a man to kidnap the daughter of a trading firm owner, demanding ransom. She gave him anesthetic to use on the child after kidnapping her from school, and the keys to her apartment, instructing him to take her there. The kidnapper leaked the information to the father, later confessing that he was hired for the kidnapping. He admitted that the pharmacist was plotting the kidnapping because she was in dire need of money. March 14, 2006 HYPERLINK
["http://www.alwafd.org/front/print.php?id=5384&tbl=accidentnews&tbl2"](http://www.alwafd.org/front/print.php?id=5384&tbl=accidentnews&tbl2)
<http://www.alwafd.org/front/print.php?id=5384&tbl=accidentnews&tbl2>

Egyptian Woman Kills her Mother-in-Law

An Egyptian woman strangled her mother-in-law to death, using a veil. The accused was arrested and confessed to committing the crime, claiming that she was taking revenge on the mother-in-law because the latter had been exerting pressure on the couple to cede their current apartment. It is alleged that on the day of the murder, the two women had had a long heated argument. The suspect then pushed the victim to the floor, strangling her to death. She then faked a robbery by stealing jewelry and money from the apartment. March 14, 2006 HYPERLINK
["http://www.alwafd.org/front/print.php?id=5383&tbl=accidentnews&tbl2"](http://www.alwafd.org/front/print.php?id=5383&tbl=accidentnews&tbl2)
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Women Behind Bars: Three Cases from Lebanon

■ Farah Hammoud

Social Worker, Tripoli Prison for Women

The testimonies below were collected directly by Farah Hammoud, the social worker in charge of overseeing the implementation of the project entitled "Rehabilitation, Vocational Training, and Reinsertion Programs for Women in Tripoli Prison" jointly organized by the Institute for Women's Studies in the Arab World and Dar Al-Amal.

Case 1

"What does the government benefit from locking up a woman of 59?" Kadiriyyah

It happened during the chaotic war years when all hell was breaking loose. Kadiriyyah's son had raped her niece, and she couldn't bear the idea that he refused to marry her (an act that would have absolved him, according to the Lebanese Penal Code), so she killed him. She killed him at a time when the Lebanese government was practically dysfunctional, and individuals were rarely held accountable for their crimes.

Many years passed before her crime was eventually reported. She was imprisoned in the early 1990's at the age of 50. In prison, a new chapter of her life began. She began to suffer from diabetes and asthma. After having lived a life of luxury, she was now forced to live off the lit-

tle money her daughter was sending her, which was barely sufficient to meet her everyday needs.

Kadiriyyah's problems started escalating when her daughter abruptly cut short her visits after hearing the rumor that Kadiriyyah was having a sexual relationship with a young female inmate. Her daughter believed the rumors and immediately condemned her mother without inquiring into the matter. According to her daughter, Kadiriyyah was unworthy of respect or sympathy.

As a result, Kadiriyyah, who was at that time approaching her sixties, had to earn her living by crocheting flowers. The less her daughter visited her, the more sad and lonely Kadiriyyah felt. Furthermore, the more deprived she was, the more attached to money and work she became.

These events took a toll on her health and her asthma attacks worsened. She became reserved about the real reasons her daughter was no longer visiting. She often came up with justifications such as "nobody likes prisoners" and "people take pleasure in your suffering and nobody wants to help you out." She would often ask me to call her daughter and ask her to visit.

Moreover, she urged me to lie on her behalf to the other inmates whenever they asked about her daughter. She wanted everyone to believe that her daughter wasn't visiting because she had traveled to the Gulf and that her daughter was writing to her and sending her money.

Kadiriyyah lacked proper healthcare since the availability of medication was dependent on the funds provided by the civil society organizations working in the prison. Moreover, she was deprived of familial love and of the bare necessities a woman her age requires (I distinctly remember how happy she was at a group Iftar during Ramadan when she tasted food she hadn't eaten in over 5 years).

During her last days, Kadiriyyah's situation worsened and she was rushed to the hospital. It was very painful seeing Kadiriyyah, her hands in cuffs, being forced onto a truck to transport her to the hospital. She tripped several times and even fell down while being escorted by the police officers. Yet, the latter refused to free her hands, claiming that she might escape. How was Kadiriyyah going to escape when she could hardly walk or speak?

After her death, very few inmates expressed pain and grief. In fact, her roommates rushed to divide among themselves what she had left behind in the form of canned goods and clothes.

Prison is no place for sorrow or commemoration. The most important thing is to stay alive.

Case 2

"My entire life changed in one instant. It took me by surprise." Basima

Basima is calm, pleasant, and well-loved by everyone. She always insists she knew nothing about life before she went to prison.

"During the nine months I have spent here so far, many things have changed. I have been repeatedly exposed to sexual harassment by one of the inmates. I witnessed the death of one of my dearest friends, due to acute psycho-

logical distress and a constant fear of living in this place. Prison is a harsh place. I hate it, I hate it."

In the autumn of last year, Basima's 20 year old brother Muhammad eloped with a minor called Leila, with whom he was having a romantic relationship.

Following a two-day search for Muhammad and Leila which proved unsuccessful, Leila's father, Ali, decided to take revenge on Muhammad's family, although they were unaware of their son's intention to get married.

Ali kept Basima and her mother under surveillance that night. He then kidnapped her at gunpoint, drove her to a rugged area in the barren mountains of Dunnyyeh and raped her. He callously beat her and humiliated her until she was in shock. Towards the break of dawn, while he fell asleep from drinking too much alcohol, Basima killed him with his own weapon.

She was caught and imprisoned along with her brother. This is where her harsh and painful journey began.

Basima's conduct inside the prison was impeccable. She was compassionate, loyal, caring, shy and innocent. She managed to preserve her purity and innocence even though she was imprisoned and despite the fact that she was surrounded by inmates who were in prison for various reasons including drug abuse, prostitution, forgery and fraud. Her inexperience along with her parents' dismal economic situation made her more vulnerable to

exploitation by others, who took advantage of her. Basima became known as the cell's "maid": cleaning, cooking, and counseling the inmates in return for food and clothing.

Moreover, she was not assigned an attorney until eight months had passed after her incarceration. Neither Basima nor her brother was called for a single hearing.

Basima, the poor and illiterate woman, needed help on several fronts. The plan was to try and provide her with an attorney who would be convinced of the necessity of defending a young girl whose future was ahead of her.

Prison is no place for sorrow or commemoration. The most important thing is to stay alive.

Basima is learning how to read, and is now able to bead and crochet. This has helped her secure a small income to cover her personal needs. She was even able to send money and gifts to her younger sister.

Basima feels that she is becoming more independent and self-confident.

"Today, ten months after my arrest, I'm trying to look at things with more optimism despite all the problems with this place, and the cruelty of the incidents I endured. Prison can be a place where we define our life's goals in a clear way. Nowadays, I can't wait to start taking hair-dressing class, because I would love to work in that domain once I leave here. I also believe that my self-confidence has become better in prison. The encouragement I get from my friends, their appreciation of my work and creativity, enabled me to hear things I had never heard outside prison."

Case 3

"I will not stay here for ten years. I have to die because I have no life since I killed the one who meant the world to me." Fatima

Fatima shot Mahmoud, her fiancé, whom she loved more than everything.

She worked as a salesperson earning a measly 250,000LL a month. She had also worked as a cleaning lady and an escort. She was driven by an obsession to make as much money as she could to satisfy her desire for clothes and mobile phones, and to fulfill Mahmoud's incessant needs. All those who knew him said he was a temperamental, violent and self-centered drug addict.

"I used to feel ugly and uneducated, so I would exert an extra effort to win Mahmoud's heart; and he knew how to drive me to get him what he wanted."

All the attention she gave him and the sacrifices she made did not stop him from rebuking her, threatening to travel and end their relationship, especially when he found out that she was dating a man he knew for money. It got worse when she refused to steal a gun from the family she used to work for so that Mahmoud could use it to settle old scores. Succumbing to the pressure, Fatima

stole the gun and was ready to hand it over. But that day he got enraged and called her the worst of names. He made it clear to her that he did not love her anymore, and he cursed the day he had met her. He informed her that he intended to marry his cousin in Australia, demanding that she disappear from his life once and for all because he intended to start anew, abroad.

Fatima could no longer tolerate it. She killed him and immediately handed herself in to the authorities. She entered prison carrying his pictures, and refused to talk to anyone about what she had done.

In prison, she didn't quite understand the rules of the game. She remained emotional and impulsively expressed what was on her mind. She would hardly think through or examine what she was about to say, justifying herself by saying that she had lost everything and what had remained wasn't worth preserving.

Six months passed, and she became a person who was disliked by many of her fellow inmates who considered her unable to "humor others and treat them pleasantly." They also considered that she knew too many of the prison's secrets. Fatima was therefore constantly bullied and threatened with transfer to another prison. This was terrifying because it meant she would no longer be able to see her family.

The threats reached their climax when Fatima decided to expose the secrets she knew. The inmates convinced the guards of the need to threaten Fatima and completely silence her otherwise the unimaginable would happen to her. She was terrified. Her last few hours were suffocating and painful. She had an acute asthma attack, while every-

one thought she was faking it.

She was not immediately treated and passed away. The inmates said that she had truly suffered before she died; her health having rapidly deteriorated due to the fear and worry she experienced during her last hours.

Nothing changed in the prison. No one regretted mistreating her. Fatima died as though nothing had happened.

Translated by Ahmad Ghaddar

My entire life changed in one instant. It took me by surprise.

The Problem with Female Criminality: A General Psychological Perspective

■ Ola Ataya

Psychologist

Facts about women in prison¹

The number of women in prison has increased by almost 100% during the 1990s in the United Kingdom. More than 60% of women prisoners are mothers; almost half of these have dependent children. The offences for which women are imprisoned are less serious than those committed by men, including 149 fine defaulters in 2000. More than 32% of women in prison are first offenders compared to 14% of men.

There is a common misconception that the criminal behavior of women and the delinquent behavior of girls are not serious problems. However, violence and crime perpetrated by women have skyrocketed in the latter part of the twentieth century, and the number of female criminals appears to be growing. Research on female criminality is showing that the pace at which women are being convicted of serious offenses is increasing faster than the pace at which men are being convicted.²

Females have been "forgotten" by the criminal justice community until very recently when their escalating numbers finally made them impossible to ignore. Currently, much research on female criminality is need-

ed in order to reduce the number of females committing crimes, and to reduce the factors leading to female crime.

Historically, there has been little interest in female crime since it was not seen as a pressing social problem. Women were seen as more likely to commit minor offenses, constituted a smaller proportion of the offender population and did not commit repeated offences. In other words, female criminals were essentially seen as anomalies. In contrast, there is no shortage of research on topics such as female insanity and maternal deprivation, subjects that have been identified as having greater social relevance.

Till a few decades ago, crime was considered to be predominantly a male phenomenon, but as women increasingly join the mainstream of the society, their share in crime has increased considerably the world over...Despite the increasing rate of the involvement of females in crime, social scientists and social defence planners have not paid much heed to understand and unravel manifold trends and tone of the offences committed by women. Rather, they have been branded more often than not, this way or the other.³

However, this was not the case in Britain during the Victorian era when "Victorian sociologists and social policy-makers were much concerned with the problem of criminal women. They had good reason to be."⁴ In the second half of the nineteenth century, over 1/5 of all those convicted of crime were women compared with today's figure of 1/8. Women made up 17% of the prison population, as opposed to 4% today. Furthermore, "as a double anomaly, as someone who had violated both the legal and gender codes, and as the quintessential symbol of the problems presented by a new popular culture, the criminal woman was a titillating figure, positioned dangerously on the cusp of cultural change. Over the centuries, females who deviated from expected and traditional roles were viewed as morally corrupt, hysterical, diseased, manipulative and devious."⁵ Female criminology, as a subject of investigation, of literature and the popular press, drew public attention to the instabilities and uncertainties of contemporary life. Like the hysterical patient, the female criminal was an enigma to herself. And like the hysterical patient, she exemplified, for popular and expert audiences, a range of issues including the so-called nature of woman. The criminal woman was identified as a problem not only due to increasing crime rates, or because she was perceived as scarier or as more disturbing than her male counterpart, but because she was considered to be at the centre of transitions that would define today's culture. A most intriguing phenomenon throughout history has been the criminal conduct of females, often perceived as the more tenderhearted gender. But very little "tender-heartedness" truly characterizes the acts of crime committed by women.

Illinois State University's Ralph Weisheit, distinguished Professor of Criminal Justice, found that "...women were becoming more stereotypically male in their reasons for murdering"⁶. He revealed that robbery and murders accounted for 42% of the cases in 1983, compared to 18% in 1940. Although males commit the vast majority of street violence, females seem to be catching up. "In 10 or 20 years, those statistics should be equal," predicts Dr. Coramae Ritchey Mann, Professor Emeritus of Criminal Justice at Indiana University.

The recent surge in crime among women illustrates that, in spite of the gentle nurturer stereotype, women have the capacity to be as violent as men. The difference, behavioural studies suggest, is that women need greater incentives to express that violence. Social change over the years, especially the greater gender equality, has possibly provided that incentive.

Motives Behind Female Criminality:

Women are often perceived as "soft" and vulnerable, unable to engage in crime and are usually accused of

being accomplices to crimes. In studying the aetiology of female criminality, we must always keep in mind the multiple causes and the interplay between them. The first set of factors is present in the environment and the second the personality traits of female criminals. Moreover, it is clear that their motives are as diverse as those of men and range from monetary gain, to pressure from gangs, to power, self-defence, drug addiction and a history of abuse, to sexual compulsions, mental illness, deprivation, and various forms of rivalry.

Also, some acts of violence are often a means to various ends and to acting out various roles. For example, some may pursue criminal behaviour in order to act out or defying an image constructed by society, or to develop an image that they perceive as cool or marginal. As stated above, women criminals often succumb to gang power, or follow a role model, or both as in the case of girls who belong to gangs. If they see those they respect committing a crime, they will tend to emulate. They may do it to receive and keep someone's attention or affection. Some women team up with men and get involved in their criminal activities (as accomplices or main actors) due to a form of silent emotional blackmail, or as part of their romantic involvement.

Here, it is also important to distinguish between acute and chronic offenders. Acute or one time offenders are those who commit crimes once or twice under certain circumstances. When such individuals are faced with a particular situation, they may yield to particular antisocial impulses, and, after having committed a crime, they will often be filled with remorse. A chronic offender, on the other hand, finds satisfaction and justification in his or her behaviour.⁷

Because of group pressures and the effect of childhood and the environment on criminality, researchers should examine aspects of juvenile delinquency which seem to be predictive of some adult criminality, in order to better devise effective intervention techniques and programs.

Psychogenic Approaches to Female Crime and Delinquency:

As stated earlier, researchers have outlined certain risk factors that contribute to women's involvement in violent crime, including unemployment, poverty, family violence, substance abuse, peer and psychological factors. These risk factors are not the sole contributors to the increase in women's crime or the perceived increase in women's violent offences, and they are by no means static.

The factors that make up family violence, such as verbal abuse, physical and/or sexual victimization by parents or other family members, parental rejection and neglect

have often been associated with the development of aggressive or deviant behaviour in children, including young women. In addition, antisocial personality disorder, conduct disorder, and depression are highly related to the appearance of angry and aggressive acts in women. These factors become most apparent during the teenage years, and remain in adulthood if not detected and treated.

In understanding the developmental issues that can lead girls to delinquency, it is also important to consider what females need for healthy development. The Swiss psychologist, Jean Piaget described several stages of cognitive development and also presented an explanation of moral development. His theory suggests that child development is predictive, normative, and positive in an environment where a child's developmental needs are generally met. If the child's developmental needs are met, he/she is able to accomplish specific developmental tasks and stages.

For example:

- The need for physical safety and healthy physical development is challenged by poverty, homelessness, violence, inadequate health care, inadequate nutrition, and substance abuse;
- The need for trust, love, respect, and validation from caring adults for healthy emotional development is chal-

lenged by abandonment, family dysfunction, and poor communication;

- The need for positive female role models to develop a healthy female identity is challenged by sexist attitudes and a lack of familial support;
- The need for safety in exploring sexuality for healthy sexual development is challenged by sexual abuse, exploitation, and negative ideas about female sexuality; and
- The need to belong, to feel competent and worthy is challenged by weakened family ties, negative peer influences, academic failure, and low self-esteem.

Approaches to female criminality may fall into three main categories: the Personality Approach or the trait approaches which emphasize internal personality disposition be they biological or psychological; the Social Learning Approach which emphasizes the importance of learning and socialization; and the Biological approaches to criminal behaviour which have existed for centuries in different forms (phrenology, nervous system, genes, evolution, etc.). These theories stress the importance of physiological and inherited factors that predispose individuals to criminal behaviour. According to these theories, individuals may inherit genetic predispositions making them prone to delinquency and may in addition suffer neurological dysfunctions and psychological disorders which can play a role in criminality.



Some social and psychological theories also state that as women assert themselves in typically male ways – that is, they become aggressive, pushy, and hard-headed – criminality become "masculinized". The opportunity theory, likewise, posits that as women attain social positions similar to men, their pattern of criminality will also become similar. For example, as the employment patterns of men and women become similar, so too will their patterns of employment related crimes.

Children with Conduct Disorder, Attention Deficit Disorder with or without hyperactivity (ADHD), and/or Antisocial Personality Disorder (ASPD) are more predisposed to a life of criminal activity. The main symptom associated with

antisocial personality disorder is a complete disregard for the rights of others and the rules of society. Sufferers seldom feel anxiety and or guilt for their wrong-doing. They tend to be manipulative, irresponsible, and apathetic to others and usually behave in ways to seek attention and momentary pleasure.

From the social learning perspective, Bandura and Walters stress the importance of modelling in their social learning theory of delinquency. They emphasize a tendency among individuals to learn and imitate aggressive behaviour from models who were seen to be rewarded for their aggressive acts, thus explaining how children acquire many of the behaviours from their peers and parents. In other words, through observation, they learn which behaviors, even the socially inappropriate ones, achieve desirable and rewarding results without drawing negative sanctions, and model them. When inappropriate behaviors are modeled for young children, especially if they are reinforced elsewhere such as in the media or in books, they are learned and later replicated in these children's social interactions. Interventions based upon the social learning perspective are therefore rooted in efforts to prevent children's early exposure to negative role models, and the promotion of skill development in those who have been exposed.

Many women offenders have been victims of physical and sexual violence. Although that is not an excuse for their crimes, it is impossible to ignore if the aim is their productive rehabilitation and reintegration into society. In the Arab world, factors like forced or early marriage, domestic violence, and the denial of women's basic rights all play a major role in leading to delinquency and crime. Dr. Nadira Wahdan, head of the Social Planning Department at the Cairo Centre for National Planning, pointed out that a given woman often reaches a point where she cannot handle any further abuse, and reacts in an instant by killing her husband. According to her, most of these women are uneducated, live under extreme poverty and have no other means to earn a living.

It is fair to ask whether societies are generally becoming more violent, therefore accounting for the higher rate of female crimes. Since much criminal behaviour begins in childhood or adolescence as emotional and social maladjustment, the eradication of crime depends principally upon the eradication of juvenile delinquency and its root causes. Adult offenders usually start out as youths, and once they begin following an antisocial or criminal path, it is difficult to turn back. Thus, it is vital to highlight the importance of positive youth development strategies that ensure supportive and caring environments for children and adolescents, encouraging them to interact with peers who exhibit positive behaviours.

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Breaking the Codes: Female Criminality in Fin-de-Siècle Paris

Ann-Louise Shapiro. Stanford:
Stanford University Press, 1996.

■ Reviewed by: Christopher E. Forth

Australian National University
Published by: H-France (July, 1998)

Ann-Louise Shapiro's *Breaking the Codes: Female Criminality in Fin-de-Siècle Paris* is a compelling and innovative cultural history of the problem of the female criminal in France at the turn of the century. Shapiro's work is also refreshingly distinct from other histories of this period in that it brings a sense of theoretical rigor to her primary argument that the female criminal was "a code that condensed, and thus obscured, other concerns" (p. 4). In this sense Shapiro's work is reminiscent of Mary Louise Roberts' *Civilization Without Sexes: Restructuring Gender in Postwar France, 1917-1927* (Chicago, 1994) and Maria Tatar's *Lustmord: Sexual Murder in Weimar Germany* (Princeton, 1995), recent works which address historical responses to the problem of dangerous femininity.

Shapiro draws upon a wide range of sources to make her case, including medical and legal texts, newspaper and journal articles, and a number of criminal dossiers from the Archives de la Prefecture de la Police. Distancing herself at once from the urbanist model of criminality proposed by Louis Chevalier and the "law-as-ideology" model generated by Marxists, Shapiro offers qualified praise of the work of Michel Foucault while rightfully pointing out its totalizing tendencies and

blindness to gender. Despite these reservations, it is nevertheless clear that the author operates within the methodological space opened up by Foucault and developed by scholars working in cultural studies and feminist theory. Motivated at once by an awareness of the pervasive power of discourse and an unwillingness to disable female agency, Shapiro plots a middle course between these alternatives: "It seems evident that women did not merely accept the cultural information about femaleness that proliferated across such a broad discursive field, but they could not ignore it either. They did not merely act out male fantasies of female deviance, but they did sometimes follow specific cultural scripts" (p. 6). This sensitivity to culture as a space of negotiation between competing interests and representations is one of the strengths of this study, and it is consistently demonstrated throughout its five chapters.

Chapter One, "Crime and Culture," asks why, in a society where women contributed to a small and declining percentage of all crimes committed, discourses about female criminality could become so disproportionately widespread. Shapiro locates the answer to this question at the intersection of two areas of cultural tension:

"new uncertainties about the role and place of women, and concerns about the nature of mass culture" (p. 15). In the writings of medical experts and criminologists, anxieties about the role of women in society frequently revolved around the figures of the proletarian woman, the prostitute, and the decadent bourgeoisie, all of whom represented destabilizing forces in an already unstable Third Republic. These experts, however, lost control over their official narratives through the proliferation of crime stories in popular literature, especially in the theater, the roman feuilleton, and the faits divers, which they blamed for compelling highly susceptible women to commit criminal deeds. This view was lent considerable credence by the number of women who admitted to having committed crimes like infanticide, poisoning, or adultery in partial imitation of things they had read.

In the second chapter, "Telling Criminal Stories," Shapiro uses fin-de-siecle court dossiers to explore the narratives generated by prosecutors and defendants with an eye to the tension-ridden process through which authoritative accounts of female criminality were constructed. Responding to the cultural fears of the time, prosecutors consistently represented criminal women in formulaic terms that conjured up the many ways in which a woman could be considered socially out-of-place. As the causes for such disturbances were frequently cast as exaggerations of tendencies shared by women generally (including irrationality, duplicity, and hysteria), one may share Shapiro's speculation that "woman's crime seemed to be at least in part her sex" (p. 68). In these official documents, women's countercharges of neglect, cruelty, and infidelity were typically silenced as prosecutors pressed their cultural stereotypes; in some instances expert medical testimony was even discounted if it conflicted with the version of the truth being constructed by the accusers.

The accounts given by female defendants, Shapiro argues, were the result of a sort of enforced collaboration between accuser and accused. In many cases, female defendants related accounts which corresponded to the formulae articulated by the prosecution and the stereotypes circulating in the wider culture, and thus they admitted to being out-of-control or mad when their crimes were committed. Yet in other instances women told stories that sharply contradicted the cultural scripts and found ways of including different kinds of information frustrating the representations generated by their accusers. In the case of Victorine Lelong, charged with hurling a pot of vitriol at her unfaithful lover, this took the form of a letter of explanation which brought conventional images of maternal devotion and domestic diligence to bear against the

stock representations of female jealousy and vengeance. While these oppositional narratives rarely had much effect on the official story produced, they vindicate Shapiro's point about viewing these criminal narratives as stories-in-tension.

Chapter Three, "Disordered Bodies, Disorderly Acts," expands at length upon a point made in the preceding chapter: that the problematic bodies of women were considered to be the source, not only of female criminality, but of the range of debilities associated with women generally. Where Chapter Two dealt with the judicial apparatus, this chapter draws attention to the powerful role of medicine in assessing criminal responsibility in the nineteenth century, with special attention given the maladies of hysteria and degeneration. Shapiro shows how, as the scientific counterpart to the narratives spun by prosecutors, the medico-legal report "worked rhetorically to construct in scientific terms the disabilities and incapacities of the feminine" (p. 116). Though these reports did not necessarily impact upon the decisions of juries, they were linked with and contributed to the diffuse cultural assumptions informing jury decisions.

Apart from the links made to a few interesting criminal cases and some rarely cited fin-de-siecle medical experts, this chapter's survey of hysteria, hypnosis, degeneration, kleptomania, and nymphomania does not bring many new insights to what is essentially well-trodden ground. It is nevertheless a useful discussion that resonates well with points made in other chapters. Moreover, it provides a vivid counterpoint to Shapiro's excursus on the medico-legal attitude to women accused of infanticide, a crime which surprisingly did not prompt the authorities to inquire into the disordered bodies of the accused.

"Love Stories," the very interesting fourth chapter, shifts attention to the crime of passion itself to explore the overarching contention that women who committed such acts were at heart women-in-love. Not only did this assumption form one aspect of the criminological scripts rehearsed by prosecutors, but one frequently finds women themselves admitting to having been pushed toward violence out of jealousy. Shapiro situates this discourse about women-in-love in terms of a popular tolerance for crimes of passion as the exercise of a right or as an instrument of justice, a collective moral belief that conflicted with the judicial imperative to punish such acts. The popular legitimacy enjoyed by the crime of passion, Shapiro claims, was thus tied to the common assumption that "only a love that would risk death – either one's own or that of another – was worthy of the name" (p. 143).

Chapter Five, "The Sexual Politics of Female Criminality," reveals the conceptual links bonding the female criminal to the feminist and the lesbian in the fin-de-siecle cultural imagination. Despite the patriarchal attitudes of many in the Third Republic, Shapiro notes the progress of limited reforms in the status of women during this period which produced a new image of the "disordered woman," the independent bourgeoisie whose desire for freedom could impel her toward feminism, adultery, or lesbianism. These unconventional modes of femininity, Shapiro argues, were conceptualized along the same lines as the female criminal, thus revealing the cultural matrix uniting various styles of female otherness.

Shapiro's study is wide-ranging and quite engaging.

While in places the author's use of cultural theory is formulaic and offers few surprises, it is presented in an accessible manner that illuminates rather than obscures the subject at hand. The author's attention to the wide circulation of medical conceptions of criminality and gender also places her study firmly in the tradition of Jan Goldstein, Ruth Harris, and Robert Nye. Yet by viewing hitherto untapped archival materials through the lens of cultural and feminist theory, Shapiro has added greater nuance to this body of scholarship and has made a real contribution to the field. This study will be welcomed by cultural, feminist, and literary scholars of fin-de-siecle France.

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