

WOMEN'S CRIME IN THE CONTEXT OF SELECTED SOCIOLOGICAL CONCEPTS OF CRIME

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1. INTRODUCTION¹

Looking at women's crime, one cannot help but notice that the phenomenon has undergone a perceptible evolution over the last few decades. Women's crime is still seen as surprising and disturbing, all too often giving rise to negative perception in the society. Quite recently, it has been stressed that the nature and frequency of women's criminal acts evoke less interest among criminology scholars² and yet the phenomenon of women's crime today, with its changing dynamics and character, inspires in-depth analysis. One can no longer agree to accept a view that the over-riding motive driving the criminogenic activity of women is the fact that women "(...) have been pushed to the margins of society and deprived of the opportunities for development and social advancement."³ Considering the flow, direction and progress of social change that has taken place in Poland over the last three decades, one can conclude that the aforementioned view has become completely outdated. At the same time, among a number of conditions that trigger women's propensity

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² C. Smart, *Woman, Crime and Criminology*, Feminist Critic, London–Boston 1976, p. 5; Z. Majchrzyk, *Kiedy kobieta zabija*, Warszawa 2009, pp. 72–73; W. Andraszczuk, *Przestępczość kobiet w wybranych teoriach kryminologicznych – konteksty płci kulturowej*, Resocjalizacja Polska No. 14, 2017, p. 86; *The British Journal of Criminology*, Vol. 26, Issue 3, 1 July 1986, p. 309, <https://academic.oup.com/bjc/article-abstract/26/3/309/429892?redirectedFrom=fulltext>.

³ I. Dembowska, *Profilowanie kryminalne sprawczyń seryjnych zabójstw*, Acta Erazmiana 2011, p. 362.

to transgress the law,⁴ with biological,⁵ bio-psychological,⁶ anthropological,⁷ sociological⁸ or cultural⁹ aspects having received attention, the fact that women live in a broader social community and need to adapt to its rules has been, and still is, one of the most important perspectives to analyse women's illegal activity. However, it is worth noting that, although the analysis of women's crime from a sociological perspective is a relatively recent addition,¹⁰ it offers a valuable analytical aspect that helps to characterise it as a phenomenon, conditioned by a number of factors that "naturally" trigger its occurrence (e.g. poverty, efforts to improve career prospects, desire for financial stability, etc.).

Since, from a sociological perspective, women's participation in social life occurs on two planes, as Stanisław Szanter emphasised, i.e. subjective-biological (related to gender) and objective-sociological (related to career), one can get the impression that the latter has a much shorter history than the former, albeit it is certainly no less important. Taking into account the temporal aspects, the former perspective had nearly always been used to look at women's activity, while the latter emerged as women began to take up out-of-home occupational activities,¹¹ thus creating a sphere for highly positive behaviour types that are conducive to individuals' personal growth, as well as those that allow them to transgress the rules, including normative ones. Thus, unfortunately, women's ability to penetrate into areas that did not evoke positive consequences (leading to crime) became

⁴ J. Błachut, A. Gaberle, K. Krajewski, *Kryminologia*, Gdańsk 2004, pp. 221–222.

⁵ K. Ostrowska, D. Wójcik, *Teorie kryminologiczne*, Warszawa 1986, p. 102; I. Budrewicz, *Środowiskowe uwarunkowania zachowań przestępczych nieletnich dziewcząt*, Bydgoszcz 1997, pp. 73–74; Z. Majchrzyk, *supra* n. 2, p. 75; J. Heizman, *Stan przewlekłego stresu w etiologii zabójstwa*, [in:] J.K. Gierowski, Z. Majchrzyk (eds), *Psychopatologia zabójstw*, Warszawa 2010, pp. 39–49; J. Błachut, *Kobiety recydywistki w świetle badań kryminologicznych*, Wrocław–Warszawa–Kraków–Gdańsk–Łódź 1981, p. 22; K. Spett, *Psychopatologia szczegółowa*, [in:] M. Cieślak, K. Spett, W. Wolter, *Psychiatria w procesie karnym*, Warszawa 1968, p. 238; S. Manczarski, *Medycyna sądowa w zarysie. Podręcznik dla studentów*, Warszawa 1957, p. 270 et seq.; K. Daszkiewicz, *O dzieciobójstwie (w świetle kodeksu karnego z 6 czerwca 1997)*, Palestra No. 5–6, 1998, p. 33 et seq.; J. Brzezińska, *Dzieciobójstwo. Aspekty prawne i etyczne*, Warszawa 2013.

⁶ <http://www.gazetaprawna.pl/artykuly/906025,przestepczosc-kobiet.html>.

⁷ C. Lombroso, W.G. Ferrero, *Kobieta jako zbrodniarka i prostytutka*, Warszawa 1895, p. 375; C. Lombroso, *Człowiek – zbrodniarz w stosunku do antropologii jurysprudenckiej i dyscypliny więziennej*, Warszawa Vol. 2, 1891, p. 73; F. Heidensohn, *Women and Crime*, New York 1985, p. 114.

⁸ C. Smart, *supra* n. 2, pp. 66–67; R.J. Simon, *Women and Crime Revisited*, Social Science Quarterly No. 56, 1976, p. 663; M. Leśniak, *Kobieta i przestępcstwo*, [in:] B. Urban (ed.), *Problemy współczesnej patologii społecznej*, Kraków 1998, p. 172; I. Błachut, *supra* n. 5, pp. 34–35; I. Budrewicz, *supra* n. 5, pp. 84–85; H. Sekuła-Kwaśniewicz, *Encyklopedia socjologii*, Vol. III, Płeć, Warszawa 2000, p. 123; cf. also J. Błachut, *Niektóre koncepcje kryminologiczne a problem przestępczości kobiet*, *Archiwum Kryminologii* Vol. XVI, 1989; A. Campbell, *Jej niezależny umysł. Psychologia ewolucyjna kobiet [A Mind of her Own: the Evolutionary Psychology of Women]*, (trans.) J. Kanor-Martynuska, Kraków 2004, pp. 345–346.

⁹ F. Adler, *Sisters in Crime: The Rise of the New Female Criminal*, New York 1975, p. 248; L. Gelsthorpe, A. Morris, *Feminism and Criminology in Britain*, *The British Journal of Criminology* Vol. 28, No. 2, 1998, pp. 93–110; J. Błachut, *supra* n. 8, p. 221.

¹⁰ S. Szanter, *Socjologia kobiety*, Warszawa 1948; D. Klein, *Etiology of Female Crime: A Review of Literature*, *Issues in Criminology* No. 8, 1973, p. 3 et seq.

¹¹ S. Szanter, *supra* n. 10, p. 246; E. Orzeszkowa, *Kilka słów o kobietach*, Warszawa 1893, p. 198.

a certain measure of social progress,¹² expressed through women's entry into the activities previously reserved exclusively for men (becoming educated, undertaking subsequent professional activities or becoming promoted).

Today, the public perception of female perpetrators and the assessment of their behaviour can vary greatly. As Anne Campbell points out: "Today we have a whole array of contradictory ways of looking at the female criminal. She is both a scoundrel and a heroine. She is both strong and weak; she deserves sympathy and condemnation; she may be treated leniently or punished too harshly; she is economically liberated and suffers poverty; she is straightforward and hypocritical; she denies her femininity and exploits it; she is a victim of social repression and a symbol of female resistance against the power exercised over her. In brief, there is a terrible chaos in research on the criminal woman."¹³

The aim of the present reflections is to confront the ideas from selected sociological theories of crime in the context of the female gender, to indicate the level of women's criminal activity in selected categories of crime in Poland and to determine whether the core assumptions of the analysed theoretical concepts remain valid today or to what extent they need to be reformulated.

2. SELECTED THEORIES AND THEIR CORRELATION WITH THE LEVEL OF WOMEN'S CRIME

This paper will look more closely at four well-established criminological concepts of crime: the theory of social bonds as well as balance of control, the theory of anomie and the theory of social stigmatisation. These concepts have been selected on the basis of two important factors: their link with the sociological aspects that condition and explain the underlying causes of crime in general, together with the potential to extend the conclusions to the phenomenon of female crime.¹⁴

2.1. THEORY OF SOCIAL BONDS AND BALANCE OF CONTROL

The original elements of the theory of social bonds should be sought in the work of a French philosopher and sociologist Émile Durkheim and his theory of control. According to that theory, crime is a natural phenomenon, present in all societies, but a particular role should be attributed to social bonds since they offer the possibility to "control" crime and keep "a tight rein" on this phenomenon, which is how the society controls individual behaviour.¹⁵ The mere fact of committing a crime

¹² W.J. Cynarski, *Dynamiczna kobieta ponowoczesna*, Ido – Ruch dla Kultury: rocznik naukowy: [filozofia, nauka, tradycje wschodu, kultura, zdrowie, edukacja] No. 2, 2001, p. 190.

¹³ A. Campbell, *supra* n. 8, p. 333.

¹⁴ B. Hołyst, *Kryminologia*, Warszawa 1994, p. 229.

¹⁵ La Fragilité, [in:] M. Marzano (ed.), *Dictionnaire de la violence*, Paris 2011, pp. 508–509; É. Durkheim, [in:] M. Canto Sperber (ed.), *Dictionnaire d'éthique et de philosophie morale*, Vol. 1, Paris 2004, pp. 584–588; R. Gassin, S. Cimamonti, P. Bonfils, *Criminologie*, Paris 2011, pp. 467–468; É. Durkheim, *De la division du travail social*, Quadrige, 2007; É. Durkheim, *Le suicide. Étude de sociologie*, Quadrige 2007, <https://www.matierevolution.fr/spip.php?article967>.

significantly upsets the social balance. Durkheim stated that "(...) crime disrupts the social regulation (moral, legal), and upsets the social bonds (...)." ¹⁶ A counterbalance to this imbalance can be found in a society which is internally coherent and remains strongly integrated. Only then, can individuals remain mutually dependent and, therefore, internal cohesion excludes their arbitrary actions and, consequently, counteracts the rise of crime. Elements of control can be also traced in the writings of Durkheim's followers: Travis Hirschi ¹⁷ and Frances Heidensohn ¹⁸.

In its foundations, the theory of social bonds invoked the theory of control and assumed that the relationship between an individual and the society emerges and becomes fulfilled in four ways: (1) through the relationship with the immediate circle of people, (2) through the pursuit of socially desirable activities, (3) through participation in activities that remain consistent with social norms, (4) through the implementation of activities that are conditioned by conformist rules. Thus, the aforementioned theory focuses on reinforcing the concept of social bonds occurring in relations between individuals as well as the consequences involving the emergence of such bonds (by meeting expectations, or by fulfilling the predefined, binding rules that are established by members of the public). When looking for a link between the theory of social bonds and women's conduct, Frances Heidensohn stated that women are prepared from an early age to fulfil their social roles of mothers and wives. This model continues into adulthood, when the responsibilities arising from the gender role are sometimes superseded by career aspirations. The control aspect of that theory can be found in the fear of outward violence. Afraid of criminal interactions directly targeted at them (assault, theft, rape), women were inclined to stay within the familiar and safe environment (home) and to minimise participation in dangerously atypical or criminogenic situations. ¹⁹ In this context, it is interesting to quote the view formulated by Carol Smart, who stressed that "Girls are generally more controlled than boys, they are taught to stay passive and are domesticated (...). As a result, girls are expected to refrain from violence, which is why they are not taught how to fight and use weapons. Girls themselves tend to retreat from violence and seek care rather than learn the art of self-defence." ²⁰

The concept of balance of control could be seen as a continuation of the control theory. According to its founder, Charles Tittle, a crime is the result of the relationship between the extent of control over an individual and the extent of that individual's control over other people. ²¹ To explicate the assumptions of that theory, Tittle distinguished between two "poles" of control: surplus and deficit.

¹⁶ É. Durkheim, *Le suicide*, *supra* n. 15; L. Lernell, *Zarys kryminologii ogólnej*, Warszawa 1978, p. 198.

¹⁷ H.J. Schneider, *Przyczyny przestępczości. Nowe aspekty międzynarodowej dyskusji o teoriach kryminologicznych*, *Archiwum Kryminologii* Vol. XIII–XIV, 1997–1998, p. 38.

¹⁸ F. Heidensohn, *Women and Crime*, Macmillan, London 1985, p. 128 et seq.

¹⁹ *Ibid.*

²⁰ C. Smart, *supra* n. 2, quoted after: K. Biel, *Przestępczość dziewcząt. Rodzaje i uwarunkowania*, Kraków 2009, p. 131 [backtranslated from Polish]; K. Sitnik, *Czynniki socjologiczne a przestępczość kobiet. Wybrane teorie kryminologiczne*, *Nowa Kodyfikacja Prawa Karnego* Vol. XXXVI, 2015, p. 93 et seq.

²¹ M. Cabalski, *Przemoc stosowana przez kobiety*, Kraków 2017, p. 189.

The surplus is enjoyed by individuals who control themselves to a higher degree than they are controlled. Surplus of control can naturally lead to extreme or deviant behaviour in some individuals and manifest itself in crimes against those under the individual's control. In turn, the consequences of a deficit of control among those who are controlled include various transgressions of social rules, followed by certain categories of crimes (murders, thefts, abuse of drugs and narcotics, robberies, acts of vandalism). If we apply this theory to females, we should state that criminological observations indicate that women are controlled to a higher degree. In situations of a deficit of control, they show weakness and submissiveness and, consequently, remain vulnerable to various addictions. On the other hand, women who remain in control (surplus of control) tend to be aggressive and highly prone to conflict, and for this reason, this category of individuals tend to breach the law through crimes, especially those committed within a group of relatives as well as violent crimes (e.g. robbery).²²

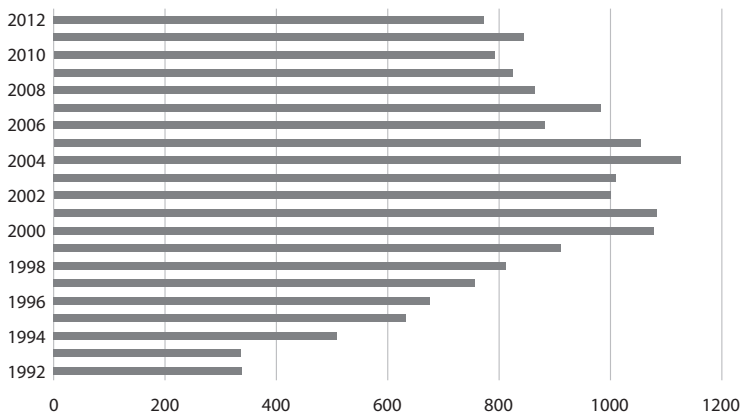
Referring to the aforementioned theoretical conclusions concerning the possibility that the accumulation of control in women may lead to criminal conduct, a decision was made to carry out a factual exemplification and to present statistics covering the category of robbery-related crimes committed by adult female perpetrators in Poland in 1992–2012 (Figure 1) in comparison with the results for juvenile female perpetrators (aged up to 16) who committed the same categories of crime in a similar period (2001–2012) (Figure 2). Based on the statistics contained in Figure 1, it should be noted that among women suspected of committing robberies there was first a regular upward trend in their participation in committing these prohibited acts in 1992–2005, and then the upward trend became more reinforced, especially in 2000–2005.²³ However, this was followed by a sustained decline in the number of women suspected of committing this category of crime, remaining at 30% between 2004 and 2012.

On the other hand, when analysing trends among suspected juvenile delinquents under the age of 16²⁴ (Figure 2), one can see a disturbing trend with a stable significant number (roughly 400 girls in 2008–2011) of juveniles suspected of robbery-related crimes (from a maximum of 446 to a minimum of 332 cases in 2001–2012). Given the category of crime, this trend indicates a high degree of demoralisation in the analysed group of girls.

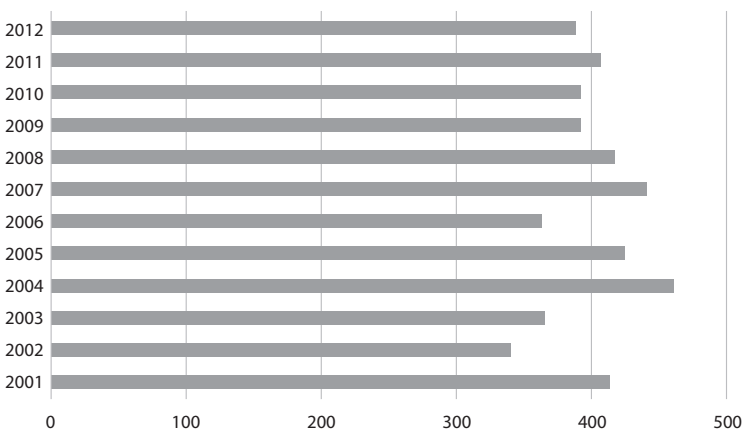
²² *Ibid.*, p. 190.

²³ M. Grzyb, E. Habzda-Siwiek, *Płeć a przestępczość. O problemie dysproporcji płci wśród sprawców przestępstw z użyciem przemocy*, *Archiwum Kryminologii* Vol. XXXV, 2013, p. 121 et seq.

²⁴ The described age limit in the case of juveniles (under the age of 16) is based on the limit used by the institution which collected the statistics, i.e. the Police. Compare, especially, I. Budrewicz, *supra* n. 5; D. Woźniakowska-Fajst, *Nieletnie. Niebezpieczne, Niegrzeczne, Niegroźne?*, Warszawa 2009.

Figure 1. Number of women suspected of robbery-related crimes

Source: <http://www.statystyka.policja.pl/st/wybrane-statystyki/przestepczosc-kobiet/50869,Przestepczosc-kobiet.html>

Figure 2. Number of juvenile females suspected of robbery-related crimes

Source: <http://www.statystyka.policja.pl/st/wybrane-statystyki/przestepczosc-kobiet/50869,Przestepczosc-kobiet.html>

There seem to be several reasons underlying this situation. Young women with an unstable level of development seek acceptance and recognition, and commission of a crime which is very harmful to the society may become a negative form of obtaining such acceptance and recognition. Sometimes members of criminal groups verify their loyalty or courage and require the commission of a crime from this category. However, when looking at the aforementioned premises, one should not forget, above all, about the surplus of control which leads to such crime. It seems possible to argue that the surplus, with the resulting aggression and brutality that prevail in the early stages of women's growth (in girls up to the age of 16),

are transformed and vanish in their further adult life. However, regardless of the reasons that determine women's involvement in robbery-related criminal activity, it is important to note that, as statistics show, women in Poland become clearly less interested in this category of crime as they grow older.²⁵

2.2. THEORY OF STRAIN

One other highly symptomatic and interesting theory in the social sciences that can be applied to look at the phenomenon of women's crime is the theory of strain that emerged in the mid-20th century.²⁶ According to its core assumptions, the higher the level of an individual's aspirations in life and the lower the possibility of fulfilling them, the more intensified the emotional reactions that could be channelled into crime (offences). The underlying reason behind the desire to violate the law was that the ambitions were difficult, or even impossible, to fulfil in ways other than by violating the existing laws. When confronting their ambitions with the actual chances of achieving them, individuals faced the following choice: never to achieve the desired goal or to achieve it relatively quickly in an illegal way. The gap between the pursuit of a goal and the possibility of achieving it inevitably led to the accumulation of frustrations, of varying degrees of intensity. At the same time, the struggle with the accumulated "failures in life" and the belief that one is doomed to them, strengthened the person's desire to end the period of failure and to move towards the fulfilment of the goals, even by resorting to commonly unacceptable methods, such as crime.²⁷

In the 1980s, a modified version of the theory of strain was developed in the United States, with its core tenets being proposed by Robert Agnew.²⁸ As before, the belief that lied at the core of that concept was that socially-oriented crime is caused by accumulated individual strain, conditioned by negative emotions with a prolonged impact. All negative interactions with the society, triggering negative affective states, were conducive to the pursuit of crime. Overall, negative emotions could be identified at all levels of an individual's life in a particular social community.²⁹ Among the social relations that were conducive to violations of the law, the following were distinguished:

- 1) the family (tensions between family members),
- 2) the peer community (tensions between acquaintances, friends),
- 3) career (tensions between workers with regard to their status in the hierarchy or between them),

²⁵ <http://www.statystyka.policja.pl/st/wybrane-statystyki/przestepczosc-kobiet/50869,Przestepczosc-kobiet.html>.

²⁶ M. Cabalski, *supra* n. 21, pp. 192–193; K. Biel, *supra* n. 20, p. 156.

²⁷ The gap between the pursuit of a goal and the impossibility of achieving it gave rise to strain.

²⁸ R. Agnew, *A Revised Strain Theory of Delinquency*, Social Forces No. 64, 1985, p. 151 et seq.

²⁹ M. Cabalski, *supra* n. 21, pp. 194–195; B. Urban, *Zaburzenia w zachowaniu i przestępczość młodzieży*, Kraków 2000, p. 205 et seq.

- 4) material life (tensions caused by differences in living conditions),³⁰
- 5) interpersonal relations (tensions between neighbours, members of specific communities).

In each of the aforementioned areas of an individual's life, there may be an asymmetry between the expectations with the actual possibilities of having them met. It is quite natural that the frustrations would exacerbate if the irregularities in the social relations of an individual occurred on more than one plane.³¹ Subjected to negative influences, facing the discrepancy between expectations and goals, the individuals want mainly to "vent" the tension,³² reaching for the only method that could satisfy their expectations and enable them to reach the planned goal in a short time. In response to that situation, the individuals would commit a crime.

In Agnew's theory of strain, a concentration of negative emotions, especially anger, may first lead to growing aggression and then contribute to the accumulation of affection which is subsequently vented by breaking the law. Violent emotions experienced by an individual can lead to violent acts. A specific negative emotional stimulus is externalised against the society, while aggression and hostility, accumulated when the individual is unable to handle stress, may drive infringing behaviour.³³

Agnew's research indicates that women, much alike men, experience a variety of tensions but respond to them in radically different ways. Men are more likely to experience the kind of strain that will more probably induce them to commit crimes³⁴ as a way to reduce that strain.³⁵ In turn, women are more likely to accumulate negative emotions and are able to conceal tensions for longer periods, which is why stress and frustration usually manifest themselves at a later moment than is the case with men. Moreover, social control which "blocks" the release of tension through unlawful conduct is higher in the case of women. Women's emotional agitation tends to be more strongly determined by the accumulation of harmful, unjust or degrading behaviour that men normally do not allow. The concentrated sense of harm, threat, loneliness, and gender discrimination can lead women to commit a crime, but the motives behind women's criminal activity are usually different. They are linked to attempts to redress the social balance, upset through degrading behaviour, and the objective violation of justice.

Agnew observed that women who engage in conduct that goes against legal norms do so either for their own benefit, to eliminate the benefits to others or to compensate for the sense of harm or humiliation they have experienced. As a result, in order to minimise strain, women tend to engage in highly destructive behaviour,

³⁰ M. Cabalski, *supra* n. 21, p. 195.

³¹ Cf. L. Broidy, R. Agnew, *Gender and Crime: A General Strain Theory Perspective*, *Journal of Research in Crime and Delinquency* No. 3, 1997, pp. 275–306.

³² *Ibid.*

³³ *Ibid.*, pp. 283–284.

³⁴ E. Habzda-Siwiek, *Ogólna teoria napięcia Roberta Agnew: o możliwościach wyjaśniania różnicowania zachowań przestępczych kobiet i mężczyzn*, [in:] *Przestępczość kobiet. Wybrane aspekty*, Warszawa 2017, p. 196.

³⁵ *Ibid.*, p. 197.

which is greatly damaging to themselves (use of drugs, suicide attempts).³⁶ In turn, the reduction of strain through crime occurs in particular in three types of circumstances: when they have experienced sexual abuse, violence from their partner or gender discrimination. However, given that the tensions experienced by women are subject to social control and that females are more highly socialised, this, in Agnew's view, determines the lower frequency of tension being released through crime against third parties.³⁷ Importantly, after observing the manifestations of women's crimes, the author enumerated traits that make some women more capable of committing a crime. Those traits include: low ability to control impulsiveness, high threshold of emotional reactivity, poverty, poor social support, rejection of well-established beliefs about the importance of one's own social role.³⁸ At the same time, Agnew stated that females who react emotionally to strain are more likely to experience depression, sense of guilt, fear, anxiety and shame,³⁹ i.e. conditions that reduce the frequency of violent crime or property crimes.⁴⁰

When confronting Agnew's aforementioned views on the theory of strain in women with the category of property crimes committed by female perpetrators in Poland in 1998–2008 (Figure 3), two key observations should be formulated. Firstly, the figures pertaining to 1998–2002 remain somewhat incomplete, making it difficult to draw generalised conclusions regarding the overall trends in women's crime during this period. However, it can be noted that, despite the deficit in the presented statistics, there was a continuing upward trend in the frequency of property crimes among female perpetrators (from 3,948 to 17,495 cases) until 2005. This was followed by a slight decrease in the number of such crimes committed by women (from 11% and 14%) between 2007 and 2008, but they still remained high.⁴¹

Thus, one cannot conclude that, in line with the theory discussed here, women experienced tensions related to their difficult financial situation in a way that would prevent them from undertaking criminal activity during the period concerned. Rather, it seems that "(...) Theft, burglary and robbery-related crimes (...) tend to represent desperate attempts to gain access to scarce financial resources."⁴² Therefore, women's extremely complex living conditions drive their high criminal activity,⁴³ while they can compensate for the tensions arising from the shortage of material profits by resorting to quick, albeit illegal, methods of obtaining them (Figure 4).

³⁶ R. Agnew, *Pressured into Crime: An Overview of General Strain Theory*, Los Angeles 2006, p. 134 et seq.

³⁷ E. Habzda-Siwek, *supra* n. 34, p.198.

³⁸ *Ibid.*, p. 200.

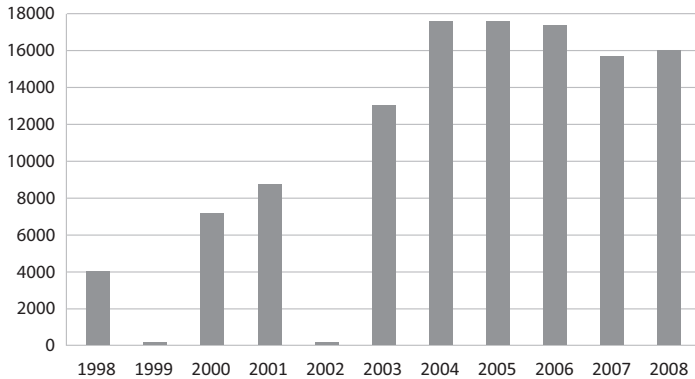
³⁹ *Ibid.*

⁴⁰ L. Broidy, R. Agnew, *supra* n. 31, p. 284 et seq.

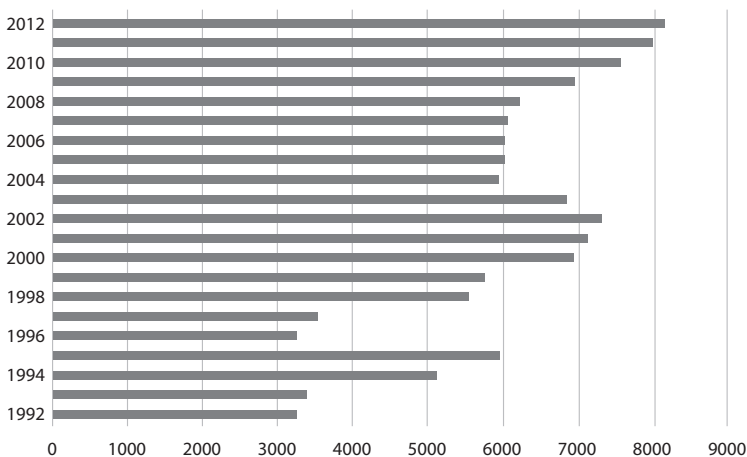
⁴¹ Property offences are a category of offences that have an equally high frequency among juveniles as among adults. Compare J. Jasiński, *Przestępczość nieletnich w Polsce w latach 1961–1967 (rozmiary, struktura przestępczości, orzeczone środki)*, *Archiwum Kryminologii* Vol. IV, 1969, p. 179; A. Siemaszko, *Kogo biją, komu kradną? Przestępczość nierejestrowana w Polsce i na świecie*, Warszawa 2001, p. 28.

⁴² M. Cabalski, *supra* n. 21, p. 178.

⁴³ A. Campbell, *supra* n. 8, p. 345.

Figure 3. Number of women sentenced in property crime cases (total) in 1998–2008

Source: the author's own analysis based on data from the Statistical Yearbooks issued by the Central Statistical Office of Poland (GUS) for 1998–2008

Figure 4. Number of women suspected of stealing someone else's property and burglary in 1992–2012

Source: <http://www.statystyka.policja.pl/st/wybrane-statystyki/przestepczosc-kobiet/50869,Przestepczosc-kobiet.html>

It seems that women's advanced and fully conscious participation in all forms of social life justifies the belief that women have overcome taboos, especially in terms of crime. As Robert Agnew emphasises in his concept, the model of women's conduct still comprises the prevailing willingness to engage in defensive activities and to avoid crime, perceived as a confrontational event. However, according to the statistics presented here with regard to property crimes, the lack of skills or lack of the possibility to solve the resulting conflict of interest in a lawful manner does not prevent women from committing a crime, i.e. from entering criminal activity. In fact, this represents one of the stimuli that reinforce such aspirations.

2.3. SOCIAL STIGMATISATION THEORY

One of the numerous sociological theories that assist one in identifying a link between women and crime is the theory of social stigmatisation.⁴⁴ According to that theory, when the required behavioural norms are set, they are automatically enforced and the individuals who choose to oppose them are stigmatised. As a stable community, the society defines a catalogue of both desirable and negative conduct, and determines which of them are considered "bad" and which remain permissible.⁴⁵ A transgression of the accepted norms and guidelines with regard to required conduct entails far-reaching social consequences. This is true as the stigmatisation extends not only onto the transgression itself, but also, and sometimes above all, onto the perpetrator, which may entail social stigmatisation and, if such behaviour is perpetuated, this might even lead to individual deviations.⁴⁶ The process of "pejorative labelling" can, therefore, lead not only to serious distortions of the individuals' social position once they have transgressed the socially determined rules, but may also disrupt their self-esteem.⁴⁷ Importantly, the rules, norms and duties set out may be, and often are, redefined, which is why the authors of this concept point out⁴⁸ that conduct that is currently regarded as a violation or deviation from the required normative behaviour may become a norm in the future. The reactive evaluation in a social community is subject to constant modification, depending on the changing conditions in which the community lives, as well as a number of factors that primarily or secondarily relativise the fundamental assessment of the individuals that make up that community. The dynamism inherent in this theory can be clearly seen from this perspective.

Focusing on the assumptions of the aforementioned concept from the perspective of women's crime, one can conclude that this is one of the most fundamental and frequent ways of assessing this phenomenon. As a representative of the female sex, traditionally seen as synonymous with "the decent sex", a woman who transgresses the established rules and infringes the accepted norms will always arouse more surprise and shock than a man doing the same thing. There is still a strong public belief that a woman should not commit a crime, and if she does, this presumably results from some atypical or incidental circumstances.⁴⁹ Therefore, a woman is allowed to perform worse in the sphere of her gender-based duties (as a wife, mother or sister), but she is not permitted to take her social "infirmity" onto the normative plane. The social belief in the impeccability of the female sex has specific consequences on the grounds of the theory of social stigmatisation.

⁴⁴ J. Chojecka, *Przestępczość kobiet – próba teoretycznego ujęcia zjawiska*, [in:] A. Matysiak-Błaszczyk, B. Jankowiak (eds), *Kontrowersje wokół socjalizacji dziewcząt i kobiet*, Poznań 2016, p. 92.

⁴⁵ *Ibid.*

⁴⁶ M. Konopczyński, *Współczesne kierunki zmian w pedagogice resocjalizacyjnej. Destygmatyzacja dewiantów i kreowanie alternatywnych tożsamości*, [in:] M. Konopczyński, B.M. Nowak (eds), *Resocjalizacja. Ciągłość i zmiana*, Warszawa 2008, p. 69 et seq.

⁴⁷ J. Chojecka, *supra* n. 44, p. 93.

⁴⁸ The following authors can be mentioned among the representatives of different approaches to the theory of social stigmatisation: E. Lemert, H. Saul Becker, E.M. Schur, D. Matzy.

⁴⁹ R. Siemieńska, *Płeć, zawód, polityka*, Warszawa 1990, p. 55 et seq.

Women who (regardless of the circumstances) have committed acts prohibited by law are treated in a “more spectacular” way, for instance in the media.⁵⁰ The media make attempts to find cruelty, drastic elements or cold calculation, which may stem from the erroneous belief that women are only capable of inflicting pain on their loved ones and that they can target criminal activity and emotions only at partners or children. Therefore, one reason why women’s crime may seem spectacular is the specific circle of victims. This one-dimensional presentation of the analysed phenomenon leads to the belief that bad mothers, cruel wives or concubines deserve condemnation. As a result, stigmatisation of the perpetrators rather than their acts is more likely to occur in women than in men. As a consequence, this approach leads to “unhealthy” attention paid to female perpetrators, as well as to the consolidation of social stigma and perception of those women as deviants. In view of current research by criminologists and sociologists, the belief that crime is reserved exclusively for men has not been confirmed. Nowadays, women remain fully active in the area of crime and it is generally difficult to find categories of crime that remain an exclusive male domain. However, the theory of social stigma reveals a very important observation concerning the axiological aspects of crime. The gender-based assessment of criminal conduct remains significantly varied. Female offenders continue to be assessed more strictly than men⁵¹ and their conduct is more heavily stigmatised.⁵² Although research has shown⁵³ that women’s crime is apparently on the rise, crime is still not considered to be a female type of conduct or one that is socially intertwined with the female gender.⁵⁴

Invariably, infanticide is one of the crimes that arouses particular interest and triggers a shock in the society and the media, and involves the highest degree of social stigma for women. Given the vulnerability and age of the victim of such crime (an infant), and given the fact that the mother should guard the bond that binds her to her offspring, any conduct violating this bond becomes inexplicable. The drastic nature of infanticide is reflected not so much in the method or form of its execution, but in the very fact that it is carried out by the mother. In social perception, infanticide by a mother is viewed as an outraging act challenging the parental relationship, and it triggers a procedure to determine whether the woman who has been capable of committing such a crime shows signs of deviation. Below is a summary illustrating the number of infanticides detected in Poland in 1999–2016 (Figure 5).

Based on the presented statistics, it can be concluded that the number of infanticides in Poland has drastically declined within the last two decades, and the crime of infanticide has almost disappeared nowadays. At the same time, it

⁵⁰ I. Desperak, *Złe dziewczynki i potworne kobiety – dlaczego media lubią je tak przedstawiać?*, [in:] *Zachowania dewiacyjne dziewcząt i kobiet*, Łódź 2007, pp. 45–56.

⁵¹ R. Agnew, *supra* n. 34, p. 138; Z. Majchrzyk, *supra* n. 2, p. 72.

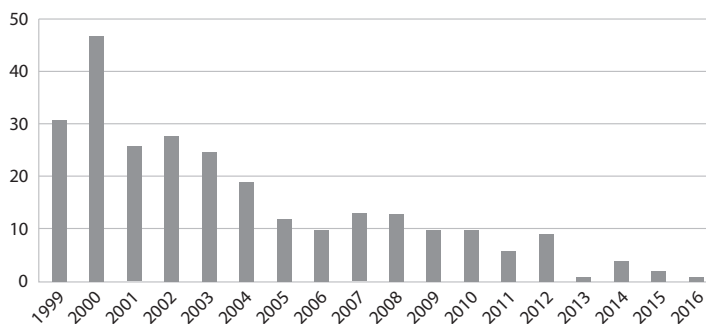
⁵² *Ibid.*

⁵³ A. Siemaszko, B. Gruszczyńska, M. Mraczewski, *Atlas przestępczości w Polsce*, Vol. 4, Warszawa 2009, pp. 322–323; M. Cabalski, *supra* n. 21, <http://www.gazetaprawna.pl/galerie/906025,duze-zdjecie,2,przestepczosc-kobiet.html>; L. Lernell, *supra* n. 16, p. 262.

⁵⁴ K. Biel, *supra* n. 20, pp. 132–133.

should be clearly stressed that, although this crime is incidental, its strict axiological assessment does not change: it continues to entail particularly pejorative social stigmatisation of its perpetrators in the overall population of criminals. As Eleonora Zielińska points out, "(...) the Polish justice system has a history of punishing women particularly severely when they go beyond the stereotype of femininity or the role of a woman as a caregiver and mother."⁵⁵ Women who decide to carry out this crime must face the stigma of an infanticidal mother, and this particular stigma accompanies them not only during the time served but also after they have left prison, it often pushes them towards further deviations, especially within the mental structure of their personality. It is therefore clear that the society does not, and probably will not, agree to tolerate conduct that violates the bond between the mother and the child, especially if this bond is challenged by the person who is expected to support it under any circumstances.

Figure 5. Number of infanticides detected in 1999–2016



Source: <http://statystyka.policja.pl/st/kodeks-karny/przestepstwa-przeciwko/63417,Dzieciobojstwo-art-149.html>

3. CONCLUSIONS

The reflections presented above can be used to formulate several fundamental observations. First of all, the phenomenon of women's crime has attracted much more attention in contemporary criminological research than in the early 20th century. The increasing number of female offenders in the total number of convicts begs the question why women, previously depicted (although apparently wrongly) as promoters of "proper and positive" conduct decide to transgress certain boundaries and violate the law. When attempting to answer this question, a desire arises to identify the source(s) of women's criminogenic activity. The list of reasons underlying female crime embrace various factors, different and similar, determining the occurrence of this phenomenon. Due to their multiplicity, a comprehensive analysis goes beyond the scope of this paper. For this reason, a decision has been made to

⁵⁵ E. Zielińska, *Kobiety a wymiar sprawiedliwości*, Prawo i Płeć No. 3, 2001, pp. 1–4.

focus on a selected range of topics, i.e. the social determinants of the phenomenon of women's crime. In the context of the four concepts of crime presented here, the belief about the importance of the social perception of women's criminal activity remains fully valid. The number and the divergence of interactions driven by factors in the perpetrators' environment remains a common ground.

In conclusion, it should be noted that the confrontation of the theoretical concepts of the sociological underpinnings of women's crime with statistical data concerning the selected categories of crimes committed by Polish female perpetrators does not always confirm the assumptions adopted in those concepts. However, this does not mean that their elements are erroneous but rather proves that those concepts were developed on the basis of observations that are not always confirmed in Poland's realities. Moreover, it should be stressed that the variables underlying the presented concepts were observed by their authors in a different period (most of them were formulated in the first half of the 20th century) and in a different geographical area than those relevant to Polish female perpetrators. This fact makes it difficult, and impossible at times, to validate those assumptions on the basis of the presented statistics. Therefore, it seems that the sociological concepts concerning female crime need to be remodelled, taking into account the transformations taking place in the population under study (the category of female perpetrators), and placed in a specific socio-cultural context, as well as a specific local environment. Thus, the reference to this group of theories should be considered justified, especially if accompanied by comments as to their contextual explication of the phenomenon of women's crime, together with the need to consider the variability of such contexts with due consideration for factors underlying the observed social relations and connections.

The axiological context of the analysed illegal conduct displayed by women, challenging the crucial societal principles and norms, allows one to focus attention on the effectiveness of elucidation of women's crime. A cursory review of the above-mentioned sociological theories proves that they constitute only a fragmentary attempt to explain the phenomenon which occurs in almost innumerable varieties. The fundamental question arises as to why the chosen sociological context remains relevant when attempting to explicate female crime. This is mostly because what is highlighted from this perspective is not only the genuine context of the phenomenon but, above all, the multiplicity of its social consequences, as well as the personal and extra-personal relations it determines. Nevertheless, even if one sees the importance of the sociological perspective on women's crime, one cannot fail to acknowledge the need to consider the extra-sociological contexts that influence the phenomenon concerned. Thus, the multitude of problems focused around women's crime makes it possible to conclude that even the most complex single-factor concept or theory that elucidates the phenomenon (also a sociological one) remains too narrow to incorporate the contemporary contexts. Thus, it should be stressed that the findings made on the basis of sociological concepts of women's crime delineate only one of multiple areas that need to be addressed in order to study this phenomenon in a comprehensive way. This point of view guides the reflection towards a broader perspective on the underpinnings of the issue. Multi-factor theories, also known as integrated theories, are one of the methods that can help to unfold the complex nature of the analysed

criminal phenomenon. It seems that the use of those theories can render better results in the sense that they try to explain women's crime from many perspectives and on various levels, thus increasing the degree of objectivity in the analysis.

Likewise, modern criminology seeks to explain the causes of women's crime. Like the other approaches, this one has not only advantages but also some disadvantages. The novelty of this solution lies in the synchronisation of various factors and the accompanying conditions (biological, psychological and sociological). It also focuses on incorporating the interactions between the various variables and on unfolding the extent to which various factors determine the emergence of criminal conduct. The advantage of multi-factor theories over single-factor ones is manifested primarily on two levels. First of all, they enable a more comprehensive analysis of the phenomenon in question and, secondly, they help to adapt the explanation to a specific case, thus demonstrating category flexibility (a different number of factors, depending on the criminal case in question). Meanwhile, the most serious disadvantage of single- and multi-factor theories lies in the impossibility to extrapolate the findings made on their basis. Thus, they work well for the case-by-case analysis of a specific crime, but have visible deficiencies with regard to certain categories of crime (homicide, theft, fraud) and certainly with regard to attempts to identify and formulate universal causes of women's crime (for all such cases). At the same time, perhaps the scope of the phenomenon is so wide and so diverse that it is impossible to identify a universal catalogue of causes explaining the phenomenon of female crime, while single- or multi-factor situational interpretations of specific prohibited women's activities are more appropriate, depending on the degree of complexity and frequency.

A separate problem which is difficult to interpret but nevertheless worth addressing in the context of the above discussion is the phenomenon of "social masculinisation" of women in the context of the increasing total number of crimes they commit. In other words, it is interesting to ponder over the question as to whether crimes, reserved for men until recently, can only be committed by "masculine" women or also by "feminine" ones. There is virtually no doubt that a crime, perceived as a socially significant fact, can be carried out by any human being, regardless of their gender. However, the stereotypical and uninterrupted association between masculinity and crime has resulted in a situation where women who have committed crimes are suspected to have a higher, atypical degree of male elements in comparison with other women. It is worth noting that such an interpretation calls into question the gender stereotype which reinforces the gendered perception of specific categories of activities and their identifying characteristics. At the same time, the clear and permanent change in the social position of women today, associated with the fact that they acquire new skills, previously reserved for men, also leads to a changed perception of the female gender. A confrontation of the presented observations with the research conducted by a Polish author Renata Szczepanik⁵⁶ on a group of women imprisoned for a robbery did not confirm the well-established social perception that

⁵⁶ R. Szczepanik, *Teoretyczne perspektywy interpretacji przestępczości kobiet i mężczyzn*, [in:] M. Chomczyńska-Rubacha (ed.), *Teoretyczne perspektywy badań nad edukacją rodzajową*, Łódź 2007, pp. 158–164.

women who commit a robbery are sometimes considered more “masculine” than the perpetrators of other crimes, given the fact that a robbery requires the use of force, violence and a high level of brutality and aggression. The author is very sceptical about the results obtained. She stresses that if one assumed that only “masculine women” could commit a robbery, the prevailing phase in the development of their gender roles should be the phase of autonomy where a conflict situation is addressed by strengthening the characteristics of the opposite sex. Meanwhile, the studied female convicts scored highest on conscientiousness, with individuals acting in accordance with the stereotype of their own gender, which means that women involved in robbery remain highly feminine in their behaviour. However, this identification is not absolute and it should be added that the female perpetrators try to challenge the existing stereotypes that they have absorbed previously and experience a serious discrepancy between their own expectations, going beyond the duties of the female gender, and the social expectations towards them.

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WOMEN'S CRIME IN THE CONTEXT OF SELECTED SOCIOLOGICAL CONCEPTS OF CRIME

Summary

The aim of the study is to indicate the links between selected sociological theories of crime and the phenomenon of women's crime. The initial characteristics of the indicated category of theories makes it possible to define further those aspects which, in the context of general assumptions, determine their relations with a particular category of perpetrators: women. In attempt to confront theoretical considerations with the findings of empirical nature, the study indicates selected categories of crimes committed by women in Poland when the Criminal Code of 1997 was in force. Such an approach allows the final determination whether the assumptions of the analysed theoretical concepts have been confirmed by the presented research, or whether their potential remodelling is necessary. The structure of the study has determined the application of two research methods: dogmatic and empirical.

Keywords: female crime, theory of social bonds, theory of balance of control, theory of anomie, theory of social stigmatisation

PRZESTĘPCZOŚĆ KOBIET NA TLE WYBRANYCH SOCJOLOGICZNYCH KONCEPCJI PRZESTĘPCZOŚCI

Streszczenie

Celem opracowania jest wskazanie powiązań między wybranymi socjologicznymi teoriami przestępczości a zarysowanym na ich tle zjawiskiem przestępczości kobiet. Wstępna charakterystyka wskazanej kategorii teorii umożliwi w rezultacie określenie tych aspektów, które na tle ogólnych założeń wyznaczają ich relacje ze szczególną kategorią sprawców: kobiet. Ze względu na dążenie do skonfrontowania poczynionych rozważań teoretycznych z ustaleniami natury empirycznej, w opracowaniu wskazano wybrane kategorie przestępstw popełnionych przez kobiety w Polsce w okresie obowiązywania kodeksu karnego z 1997 r. Takie ujęcie pozwala na ustalenie, czy założenia analizowanych koncepcji teoretycznych znalazły potwierdzenie w przedstawionych badaniach, a także czy konieczne jest ich ewentualne przemodelowanie. Ponadto zasadniczym założeniem pracy jest także wykazanie, czy jednoczynnikowe teorie przestępczości w konfrontacji ze zjawiskiem przestępczości kobiet są w stanie kompleksowo określić jego istotę, czy też niezbędne jest sięgnięcie do teorii złożonych, by w pełni zrozumieć analizowany problem. Struktura opracowania wpłynęła na zastosowanie dwóch metod badawczych: dogmatycznej oraz empirycznej.

Słowa kluczowe: przestępczość kobiet, teoria więzi społecznej, teoria równowagi kontroli, teoria anomii, teoria naznaczenia społecznego

DELINCUENCIA FEMENINA DESDE EL PUNTO DE VISTA DE ALGUNOS CONCEPTOS DE LA DELINCUENCIA

Resumen

La presente obra tiene como fin demostrar vínculos entre el fenómeno de la delincuencia femenina y algunas teorías sociológicas de la delincuencia, así como determinar si exponen con acierto factores genéticos de esta delincuencia. Las características iniciales de la categoría indicada de teorías permite identificar aspectos que determinan sus relaciones con la categoría particular de delinquentes – mujeres. Se tiende a confrontar la teoría con la práctica, se señala categorías de delitos cometidos por las mujeres en Polonia durante la vigencia del código penal de 1997. Esto permite determinar finalmente, si los conceptos teóricos se confirman en casos estudiados y si necesitan eventualmente una mejora. Además, la obra tiende a demostrar si teoría de un factor de la delincuencia contrastado con el fenómeno de delincuencia femenina será capaz determinar su naturaleza o bien habrá que apoyarse en teorías complejas para entender este fenómeno. La estructura de la obra ha exigido la aplicación de dos métodos de investigación: dogmática y empírica.

Palabras claves: delincuencia femenina, teoría de relación social y equilibrio de control, teoría de anomia, teoría de estigmatización social

ЖЕНСКАЯ ПРЕСТУПНОСТЬ С ТОЧКИ ЗРЕНИЯ ОТДЕЛЬНЫХ СОЦИОЛОГИЧЕСКИХ КОНЦЕПЦИЙ ПРЕСТУПНОСТИ

Резюме

Цель исследования – рассмотреть явление женской преступности с точки зрения отдельных социологических теорий преступности и определить, насколько точно эти теории раскрывают факторы возникновения такой преступности. Предварительная характеристика указанной группы теорий позволит в дальнейшем определить те их аспекты, которые на фоне общих теоретических положений относятся к конкретной категории правонарушителей, а именно к женщинам. Чтобы сопоставить теоретические соображения с эмпирическими наблюдениями, в работе будут рассмотрены отдельные категории преступлений, совершенных женщинами в Польше в период действия уголовного кодекса 1997 года. Такой подход позволит сделать надежные выводы относительно того, находят ли эмпирическое подтверждение анализируемые теоретические концепции, а также определить, следует ли ввести поправки в соответствующие модели. Еще одна из основных целей работы заключается в выяснении, способны ли однофакторные теории преступности предложить всестороннее объяснение сути явления женской преступности, или же для полного понимания анализируемой проблемы необходимо прибегнуть к более сложным теориям. План исследования предопределил использование двух исследовательских методов: догматического и эмпирического.

Ключевые слова: женская преступность, теория социальных связей и баланса контроля, теория аномии, теория социальной стигматизации

FRAUENVERBRECHEN MIT DEM HINTERGRUND DER AUERWÄHLTEN SOZIOLOGISCHEN KRIMINALITÄTSKONZEPTE

Zusammenfassung

Ziel dieser Studie ist es, die Zusammenhänge zwischen dem Phänomen der Frauenkriminalität und ausgewählten soziologischen Kriminalitätskonzepten aufzuzeigen und festzustellen, wie zutreffend sie die genetischen Faktoren dieser Kriminalität aufdecken. Die vorläufigen Merkmale der angegebenen Kategorie und der Theorie werden weiter die Identifizierung dieser Aspekte ermöglichen, die auf dem Hintergrund allgemeiner Annahmen ihre Beziehung zu einer bestimmten Kategorie von Tätern – nämlich Frauen – bestimmen. Aufgrund des Strebens, die theoretischen Überlegungen mit empirischen Ergebnissen zu konfrontieren, wird die Studie ausgewählte Kategorien von Verbrechen aufzeigen, die Frauen in Polen während der Gültigkeitsdauer des Strafgesetzbuchs von 1997 begangen haben. Dieser Ansatz ermöglicht die endgültige Feststellung, ob die Annahmen der analysierten theoretischen Konzepte in der vorgestellten Forschung bestätigt wurden und ob es erforderlich ist, sie gegebenenfalls umzugestalten. Darüber hinaus besteht die Grundvoraussetzung der Studie darin, zu zeigen, ob Ein-Faktor-Theorien der Kriminalität in Konfrontation mit dem Phänomen der Frauenkriminalität in der Lage sind, ihr Wesen umfassend zu bestimmen, oder ob es notwendig ist, auf komplexe Theorien zurückzugreifen, um das analysierte Problem vollständig zu verstehen. Layout der Studie bestimmt die Verwendung von zwei Forschungsmethoden: dogmatisch und empirisch.

Schlüsselwörter: Frauenkriminalität, Theorie der sozialen Bindung und Kontrollgleichgewicht, Anomietheorie, Theorie der sozialen Kennzeichnung

LA CRIMINALITÉ DES FEMMES DANS LE CONTEXTE DE CERTAINS CONCEPTS SOCIOLOGIQUES DE LA CRIMINALITÉ

Résumé

L'objectif de l'étude est d'indiquer les liens entre le phénomène de la criminalité des femmes et certaines théories sociologiques de la criminalité et de déterminer avec quelle pertinence elles exposent les facteurs génétiques de cette délinquance. Les caractéristiques préliminaires de la catégorie de théorie indiquée permettront en outre d'identifier les aspects qui, dans le contexte des hypothèses générales, déterminent leurs relations avec une catégorie particulière d'auteurs – les femmes. En raison du désir de confronter les considérations théoriques formulées avec des résultats empiriques, l'étude indiquera des catégories sélectionnées de crimes commis par des femmes en Pologne pendant la période de validité du Code pénal de 1997. Cette approche permettra de déterminer définitivement si les hypothèses des concepts théoriques analysés ont été confirmées dans la recherche présentée, et si un remodelage est nécessaire. En outre, la prémisse de base du travail est également de montrer si les théories du crime à un facteur face au phénomène de la criminalité des femmes sont capables de déterminer de manière exhaustive son essence, ou s'il est nécessaire de recourir à des théories complexes pour comprendre pleinement le problème analysé. La présentation de l'étude a déterminé l'utilisation de deux méthodes de recherche: dogmatique et empirique.

Mots-clés: criminalité féminine, théorie du lien social et équilibre de contrôle, théorie de l'anomie, théorie de l'étiquetage social

LA CRIMINALITÀ FEMMINILE SULLO SFONDO DI CONCEZIONI SOCIOLOGICHE SCELTE DELLA CRIMINALITÀ

Sintesi

L'obiettivo dell'elaborato è quello di indicare i legami tra il fenomeno della criminalità femminile e alcune selezionate teorie sociologiche della criminalità, nonché stabilire quanto coglientemente esse esponano i fattori genetici di tale criminalità. La caratteristica preliminare della categoria indicata di teorie permette in misura ulteriore di determinare quegli aspetti che sullo sfondo dei presupposti generali mostrano la loro relazione con la particolare categoria di criminali, le donne. A motivo del tentativo di confronto delle riflessioni teoriche compiute con le determinazioni a carattere empirico, nell'elaborato vengono indicate categorie scelte di reati, compiuti dalle donne in Polonia nel periodo di validità del codice penale del 1997. Tale inquadramento permette di stabilire definitivamente se i presupposti dei concetti teorici analizzati trovino conferma o meno negli studi presentati, o se sia necessaria una loro eventuale rimodellazione. Inoltre un presupposto fondamentale del lavoro è quello di mostrare se le teorie monofattoriali della criminalità nei confronti della criminalità femminile siano in grado di definire in maniera completa la sua essenza, o se sia necessario attingere a teorie complesse per comprendere pienamente il problema analizzato. La struttura dell'elaborato ha determinato l'utilizzo di due metodi di studio: dogmatico ed empirico.

Parole chiave: criminalità femminile, teoria delle relazioni sociali dell'equilibrio del controllo, teoria dell'anomia, teoria della reazione sociale e dell'etichettamento

Cytuj jako:

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