



THE STATUS OF WOMEN RELATED TO CRIMES

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Abstract:

In a society confused by the globalization of crime we need to perform a complex analysis in order to locate the woman in this society, regarding gender differences, her role within the family and the social life.

Keywords: woman, criminal, discrimination, vulnerability, poverty.

To reflect and write about the woman of your generation is to ask how the new place occupied by women and how their relationships with men have turned from "slaves" of procreation into fighters for equal opportunities. If they used to dream to stay home with their children now they have professional careers. If they used to be subject to severe morale and isolated, now they are opening new roads in male citadels, achieving the same degree as men and claiming political equality.

"If the analysis of this century - says Gilles Lipvatsky - cannot boast too much respect for human rights, who could deny its fundamental dimension of positive developments regarding feminism? The great century of women, one that has revolutionized more than any other their destiny and identity is the twentieth century."

But the change of mentality does not eliminate the mechanisms of social differentiation of the genders. As it

increases the demands of freedom and equality, the social dimension of equality is restored and updated as new features. Analysis of male-female alternations in biological determinism impact on social order does not explain different cultural forms over time or their different meanings.

The woman is part of a category of persons with a high degree of victim vulnerability (together with children and old people) due to the biological, psychological and behavioral characteristics.ⁱ

For a very long time women had to endure a series of humiliations and ill-treatment due to social and cultural norms accepted and promoted by macro-or micro-groups of origin. Different forms of maltreatment were 'beating' either by the father or husband, for any inappropriate behavior of women. But history has shown that women gradually gained their rights in

relation to man precisely because of the desire to be treated at least as a man.

Femininity means a set of specific personality features specific for females as sensitivity, finesse, dedication to beautiful, educational skillsⁱⁱ. For a very long time the image of women in relation to men was devalued because the man had all the rights.

According to some criminologists (T. Hartnagel, M. Mizanuddin, etc.) to explain variations on female crime index compared to that of the male, it would be useful to highlight the differences between men and women not the convergence of these two sexes. But what can widen the field of information regarding both feminine and masculine crime is the gendered theory, which proposes a causal approach to crime against women. The discrepancy between male and female crime through the "gendered theory", we deduce that not the gender difference anatomically or physiologically is the starting point of the above, but different ways of life of the two sexes determine the specific crime. Thus, we can explain the difference by 4 elements that hinder female crime and causes male crime:

a. stereotypes – the role of women in society has a profound influence on their criminal activity. Such stereotypes: women-mother, wife, daughter, woman- wife, care, affection,

stop crimes committed by women because women are more closely related to some moral values. Feminine stereotypes do not correspond to features that are appreciated in the criminal world, most of the time, women appear as victims of criminal acts and crimes committed by this negative influence on the spiritual life and their social. Thus there is a gap between what is considered feminine and what is considered criminal and crimes harm women.

Lombrosso has an interesting view that women criminals are different from man criminals: *"We have also seen that women have more in common with children, that their moral sense is different; they are vengeful, jealous, with a penchant for revenge of special cruelty ... When a morbid activity of the psychiatric centers intensifies bad qualities of woman is clear that the characteristics of a normal women can turn into a woman criminal more terrible than any man. Women criminals are consequently monsters. The other part of her is held within the virtues of different causes, such as motherhood, faith, weaknesses, and these influences otherwise fail and a woman commits a crime, we conclude that the wickedness of a woman must have been enormous until to triumph over so many obstacles."*

b. social control – the possibility of a

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woman to commit a crime is stopped by a social control, mainly in the period of the personality development, coming from the family, then the husband and the society as a whole and any deviation ends in a punishment. Thus, girls risk less than men as over men the control is much less reduced.

A research on the crimes committed by women especially prostitution and rare crimes (killing other women), although based on a small number of women (15 women arrested for killing other women in Michigan and 25 women arrested for prostitution) stated that these are characterized by social isolation from the main culture.

Most of the female criminals were mothers from minority groups who live in immoral relations with men and are educated to win the fight for survival. Their educational and professional resources are limited. The same is in the case of prostitution but the most common causes relate to a more free education, bad examples, alcohol, poverty etc.

c. the structure of women and aggressiveness – priority in the criminal world is given to physical strength and aggression, so strong muscles are needed not only to commit a crime but also for defense, which does not refer to women who have a less robust physical constitution (with

some exceptions). Therefore women commit less serious offenses, without aggression (theft, fraud), avoiding to provoke the victim. Women often act by themselves or as an accomplice or instigator, being behind a screen. However, in some cases, criminal women are characterized by high impulsivity and mental abnormalities and depression caused by age sometimes critical factors determining the inappropriate behavior, inadequate understanding of the situation and actions.

d. sexuality – this stereotype has 2 aspects: a) sexuality seems to be a force for women to enter the criminal world - prostitution; b) inside the criminal group this element functions like a brake because the appearance of a woman may cause inside conflicts and most of the time women need to ally to a man in order to protect themselves.

Women are rarely involved in crimes because of gender divergence, and not the gender (anatomy, physiology). Female crime index will vary depending on the state of society, compared to the male crime index, which outnumbered the former, due to certain factors that remain stable throughout the history of crime.

Although anti-discrimination policy promotes the elimination of any

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differences, ensuring equal opportunities for women and men the legal provision in the rules of these things is not able to provide the desired effect of gender policies. There is a need to change attitudes and a greater awareness of the roles women assume in all areas of public and private.

As regarding the position of the criminal law, irrespective of the position of the woman within such a system, the analysis of the phenomenon envisages the legislation regarding the forms of violence generated by gender discrimination in a rule of law as well as acts that are not criminalized as crimes against women in states with non-democratic regimes.

Romania was and will be a country with patriarchal rules, social relations are promoted according to some principles very well determined from a socio-cultural and psycho-moral point of view. This way of social organization (patriarchal) is the main point of the feminist theory.

In Romania, if in the communist period patriarchy was in the family and private life, modern patriarchy means that women are less visible on the work market and they became dependant on men.ⁱⁱⁱ

Patriarchal societies regard the issue of violence in terms of power relations between men and women though, any society tolerate certain forms of violence. Power relations between men and women

are often slanted in favor of men, but to balance this report, the woman should be at least as strong as men^{iv}.

The feminist movement is regarded as a social group in which she is presented as being inferior to man. This social group is fighting to equalize rights and dismantle values. The feminist movement claims that adult domestic violence and abuse against children, the inequality of power between the abuser and victim, aggressor territory that assigns blame in most cases, is a man^v.

Although women were considered economically equal to men they were subordinated to the social and sanctioned for their addiction. Women's limited ability on the control of their own lives culminated with Ceausescu' decree on abortion. She could not decide on her life, someone else decided for her. After 1989, women began to build a new self-image. Between 1997-1998 there were around 544 cases of violence against women, and 34 of these have resulted in death. We considered useful to explain some aspects of the Romanian context for understanding, on the one hand, the incidence of abuse against women and, on the other hand, how they respond to such treatment. Studies of the female population have highlighted a number of factors leading up to the violence. Thus, high levels of stress due to the difficult economic situation, alcohol, jealousy

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partner's failure in fulfilling the responsibilities of women and even mental disorders are just some of the causes that have often led to the manifestation of aggression and violence against women.

In Romania, the causes that cause violence indicated that due to the limited experience of women's human relations and indifference or cultural habits, religious and political, these phenomena occur with a constant frequency.

Today, Romania is going through a long and difficult process of transition in the mechanisms and social structures undergo a series of transformations. The transition has created an opportunity for women to have access to the social environment and to be more present on all levels. With the advent of a new type of society, society in transition, there were gender differences and other social relationships.

ⁱ Nicolae Mitrofan, *Psihologia judiciară*, Șansa Publishing, Bucharest, 1993,p,78

ⁱⁱ Tudorel Butoi,, Nicolae Mitrofan, Vasile Zdrengea, *Psihologie judiciară*, „Șansa” Publishing SRL, Bucharest, 1992, p. 68

ⁱⁱⁱ O. Dragomir și M. Miroiu, *Lexicon feminin*, Polirom Publishing, 2002, p.279.

^{iv} V. Pasti, *op.cit.*, p.254.

^v Maria Roth, *Contribuția feminismului la concepțiile privind violența*, material preluat www.gender.ro.



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