

CHAPTER 6

Explanations of Illegal Behavior

Chapter 3, "Gender-Related Victimization," presented statistics on a well-established pattern of males' disproportionate involvement in violence. Those statistics were based on the reports of a national sample of people over the age of 12 who reported on their victimization. Other studies that gather information on self-reported involvement in illegal behavior and on individuals who are involved in the justice system have also shown that girls and women break the law less often than boys and men, and when they do break the law, they are generally less violent (Dell & Boe, 1998; Duffy, 1996; Elliott, Huizinga, & Menard, 1989; Maguire & Pastore, 1997; Osgood, Johnston, O'Malley, & Bachman, 1988; Snyder & Sickmund, 1999; U.S. Department of Health and Human Services, 2001; Wolfgang, Thornberry, & Figlio, 1987). In the United States, even though there is some narrowing of the gap in rates of crime by females and males (Heimer, 2000; U.S. Department of Health and Human Services, 2001), women and girls still exhibit markedly lower levels of serious crime and violence than do men and boys. Females and males are most similar in offenses that do not involve violence, such as theft and the use of alcohol and drugs.

Despite considerable research showing that girls are less violent than are boys, some people have concluded that, in fact, girls are equally aggressive. The reasoning to support the conclusion is that girls show their aggression differently than do boys, and that the alternative forms of aggression are increasing. A book titled *Odd Girl Out: The Hidden Culture of Aggression in Girls* (Simmons, 2002) sets forth the argument that girls are just as aggressive as are boys. Working as a journalist, Simmons visited 10 schools across the United States and talked to girls of different ethnic and class backgrounds. White girls in particular told her about rampant competition and jealousy that led girls to be emotionally and even physically abusive against each other. Research has shown the negative effects of girls' negative looks and gestures that are intended to hurt and exclude other girls (Underwood,

2004). The conclusions of *Odd Girl Out* have been confirmed by social scientists, who have written that girls are just as aggressive as boys if nonphysical aggression is considered (Crick & Grotpeter, 1995).

Should there be sanctions against nonphysical aggression? Clearly, nasty faces are not illegal, so any sanctions would be outside the purview of the formal justice system. There are other reasons for being cautious about imposing either formal or informal sanctions against girls' covert aggressive behavior. Many girls are socialized to be conciliatory and to avoid conflict so that they are not excluded from relationships and are not disliked by other people (Brown & Gilligan, 1993; Underwood, 2003; Zahn-Waxler, 2000). Indirect acts are sometimes the only way that girls can express their anger. As one psychologist put it, "There is reason to question any approach that potentially serves to discourage females from expressing anger and aggression and reminds them of their subordinate positions in society" (Zahn-Waxler, 1993, p. 81). Also, although some studies find that girls exhibit more relational aggression than do boys, other studies reveal no gender differences (Crick & Collins, 2002; Crick & Grotpeter, 1995; Rys & Bear, 1997). Some studies show greater relational aggression by boys, partly because they sexually harass girls and because they are aggressive in dating relationships (Hennington, Hughes, Cavell, & Thompson, 1998; McMaster, Connolly, Pepler, & Craig, 2002). There may be justification for encouraging and teaching both females and males to express their feelings assertively but not aggressively, but there is not clear justification for zeroing in on girls' social interactions as highly aggressive.

For adult women, except for murder, the gender gap in illegal behavior did shrink between 1960 and 1997 (Heimer, 2000), but it still persists:⁴³

- Larceny declined for both genders, but the female rates dropped off gradually and the male rates dropped off more sharply.
- For forgery, female rates increased but male rates declined somewhat.
- For embezzlement, arrests of females increased, but arrests for males declined between the late 1980s and 1995.

For the serious property crimes of burglary, motor vehicle theft, receiving stolen property, and arson, there has been a very slight or no decline in women's arrest rates, but a modest decline in men's rates of arrests.

The extensive and consistent research findings about the differences in the patterns of females' and males' illegal activity are the basis for asking several questions about gender and the causes of crime. Why are boys and men more likely (than are girls and women) to be violent and to commit serious offenses? Why are the types of offenses that females commit different from the types that males commit? Why is there a narrowing of the gap between males' higher rates of property crimes and women's lower rates? Why do some girls and women break from the norm and carry out violent illegal acts or other serious types of illegal behavior? The theories that are included in this chapter consider gender as a key concept that can be used to answer these questions.

Gender conceptualized at multiple levels of influence explains patterns of illegal activity. At the macro level, gender has its effect through differences in beliefs about how females and males should act, work opportunities, and access to influence and

resources. Intermediate-level explanations concentrate on community context, family, peers, specific life events, and other influences that combine to promote certain patterns of lawbreaking over the course of a person's life. At the level of the individual, a person's gender identity is relevant to crime and delinquency. People generally act consistently with how they see and define themselves. At the same time that they have agency, they also are constrained and conditioned by their history and by their social location. Finally, there is evidence of biological influences on illegal activity. Advances in theory linking gender to crime causation are discussed in this chapter under subheadings that reflect the different levels of influence: the macro level, especially *economic marginalization*; intermediate influences over the *life course*, including community, family, and peer groups; and the individual-level influence of *gender identity*. Community and family contexts and opportunities for both legal and illegal action can affect gender identity, and regardless of context, people do make independent choices. Recent biological explanations for illegal behavior are considered in a separate section.

At the macro level, the bulk of criminological literature has neglected the force of economic marginalization in stimulating women's and girls' lawbreaking, though feminist theorists have worked to correct this neglect. Life course theorists have concentrated on the development of delinquency and crime through experiences that people have at different life stages and in different contexts. With but a few exceptions, they have concentrated on males. However, there is a small but compatible body of research that describes not girls' and women's life courses, but the similar idea of pathways through which girls and women move toward engaging in (or desisting from) illegal behavior. Theorists who focus on identity have most directly addressed the influence of gender on delinquency and crime, though the preponderance of what we know is about how males with certain definitions of masculinity use particular types of crime to live up to ideas about being "real men." Less is known about the connection of women's and girls' gender identity to their illegal behavior. Recent advances in biological influences on human behavior are just recently being integrated into explanations of crime and delinquency. The sections below present data-grounded and innovative explanations of the connection of gender, conceptualized at multiple levels, and of biology to the patterns and the nature of illegal behavior.

Economic Marginalization

A dominant explanation of males' criminality and delinquency is that when there are not legitimate means to obtain money, boys and men seek the financial rewards of illegal activity. At the individual level, many theories about males' breaking the law have emphasized the stresses and strains associated with difficulties achieving economic success. For example, drug trafficking, especially given the ease of entry into the crack cocaine market, provides financial rewards for people without other ways to earn a living (Block & Block, 1993). Male gang members work in illegal enterprises when they cannot feasibly enter legitimate markets (Hagedorn, 1988; Padilla, 1992). As a final example, a study of boys in the three New York City neighborhoods showed how illegal and legitimate opportunities, race, and ethnicity

came into play as influences on boys' delinquency (M. L. Sullivan, 1989). African American boys from housing projects, who were most restricted in legitimate access to money, solved their economic problems by robbery, often away from the neighborhood because project residents could identify them. Latino immigrant boys who lived in a desolate neighborhood dotted with factories and warehouses turned to joy riding in stolen cars, and eventually to professional car theft to supply parts to local auto-repair shops. White working-class boys started out with delinquent behavior similar to that of the other groups, but as they grew older, they relied on relatives and neighbors to obtain legal part-time jobs. Some of them eventually began stealing from the workplace. The local communities provided a cultural milieu that was consistent with particular options for "getting paid," and individual differences affected the choices that particular boys made, including abstinence from illegal activity. However, because groups of boys in each community did have a similar pattern of delinquency, they reinforced and reproduced the culture of the community. For males, many different theorists have explained illegal behavior as the result of economic opportunities and motivations, both of which vary depending on racial, ethnic, and immigrant group status.

Fewer theorists have emphasized economic realities, illegal opportunities, or cultural adaptations to economic conditions that influence women and girls to size up and choose illegal options when they want or need resources (Naffine, 1987). The idea that economic struggle and motivation explain women's lawbreaking opened the door for a critique of gender-related economic inequities and for recommending policies and reforms to address these inequities. The attention to race and ethnicity in neighborhood contexts reinforced the importance of intersections of gender with other differentiating characteristics as influences on women's lives.

An example from Jamaica illustrates the international dimension of economic motivations to break the law and women's criminality (Sudbury, 2002). African Caribbean women are held in jails and prisons for drug smuggling in the United States, Great Britain, and other countries. One Jamaican woman explained:

They do it mainly for the kids, to support the kids. You have a mother who has four or five kids, two is very sickly, every time she visit the hospital or the doctor, you have to pay to register, you have to pay for medicine, you have to pay for an X-ray. Everything costs money. So anything comes up they're going to jump at it, the easiest way to make money. (Sudbury, 2002, p. 67)

Of course, some of the women who smuggle drugs have different motivations—for example, a desire to assist a man who is supplying the drugs—and some are even unaware that goods they transport include illegal drugs. However, in many countries, women have been burdened disproportionately by financial strains because they are the sole source of support for their children and sick or elderly relatives. In the United States, several policy changes in the 1980s reduced women's access to legitimate decent-paying jobs. These policy changes include "cutbacks on public sector employment, the scaling back of local government services, health and education, increases in the cost of public utilities . . . , and a dramatic decline in real wages" (Sudbury, 2002, p. 69).

Economic motivation to exchange sex for money has been linked to national settings in which women are expected to assume full responsibility for children should the children's fathers not provide support and where the labor market is segmented so that women have only the lowest-paying jobs available to them. In Sri Lanka, women had few legal rights and had heavy responsibilities for children, with the result that many of them turned to prostitution as a way to earn money (J. Miller, 2002). An additional problem in Sri Lanka is that women who have been married are not seen as "pure," so remarriage is unlikely, as is marriage for girls and women who are not virgins. Without the benefits of marriage, prostitution becomes an economic solution to problems of basic survival.

Before reviewing additional evidence of economic explanations of women's criminality, this chapter will add information on women's economic inequality to what was provided in Chapter 3.



A resident of Chile, 23-year-old Pamela has four children. First pregnant at the age of 14, she wants to raise her youngest children herself while another family member looks after her two eldest children. She currently lives with the father of the two youngest children, and he is unaware of her work as a prostitute. Her mother is a former prostitute, and she baby-sits the children while her daughter goes out to work.

Public Policy and Women's Poverty

In the United States, the trend has been and continues to be to reduce welfare assistance. Welfare policies have undergone a nationwide overhaul, beginning with the 1996 federal welfare reform legislation, the Personal Responsibility and Work Opportunity Reconciliation Act, which replaced Aid to Families with Dependent Children with a state block grant system, the Temporary Assistance to Needy Families. The new legislation eliminated any entitlement to federal cash assistance, set time limits for financial aid, and allowed states the discretion to emphasize work rather than cash transfers for families in need. The results are that more of the poor are working, and there is less flexibility to obtain education and training during the period when welfare benefits are available. Thus, fewer people can move from welfare to a job that will lift them out of poverty. Because women with children are major beneficiaries of welfare assistance, the move from welfare to employment has concentrated women in traditionally female jobs with limited stability of employment and few or no medical or other benefits (Peterson, Zong, & Jones-DeWeever, 2002). Women who are single heads of households and their sons and daughters are most adversely affected. Requirements that mothers who receive public assistance leave welfare for work have destabilized their housing arrangements, increased homelessness, and resulted in hunger for them and their children (Burnham, 2001). Women and children have been constrained in neighborhoods characterized by having few legitimate opportunities to earn money, increased illegitimate opportunities, and limited and strained public health, mental health, and educational services.

Women who obtain public benefits and those who are counted among the working poor struggle to cover basic expenses for food and housing. Even if they are



A Seattle, Washington, neighborhood with few legitimate opportunities to earn money and limited social and educational services.

receiving welfare, most work very hard to meet rent, food, clothing, and transportation costs. Many spend considerable time seeking out charitable support, doing odd jobs, and using other time-consuming strategies to make ends meet. Women working in low-paying jobs may actually fare worse than those on welfare, because they lose Medicaid for their children after a year of not receiving welfare, they have work-related expenses, and their time to seek help from charitable organizations is limited (Edin & Lein, 1997). One woman described why she sold crack to supplement the income she received making 10 dollars an hour as a sporadically employed nursing assistant:

Even though I have a good job when I work and stuff like that, it's hard raising two kids by yourself. . . . [Y]ou get used to having money every day and you don't have to worry about the electric being off or the rent being paid . . . I'm not going to McDonald's. McDonald's is not going to pay my rent. That's what they want you to do. I have two kids to support. Where am I going to live with them? In a shelter, making five dollars an hour. I'm not going to subject my kids to something like that. I'd rather just do my prison time if I have to do it and get rid of all of this. (Ferraro & Moe, 2003, p. 20)

The woman who preferred to go to prison rather than work for a low wage that could only support her living in a shelter did not see welfare support as an option. Prior to welfare reform, many women opted to receive welfare instead of being part of the working poor, because they could not obtain medical care for themselves or their children if they did work.

Welfare support has decreased because of the reforms. Before welfare reform, women surveyed in Boston, Chicago, Charleston, and San Antonio uniformly reported that welfare benefits needed to be supplemented by other sources of income to meet basic expenses (Edin & Lein, 1997). Many women violated welfare agency policies by working at jobs without approval, thereby committing welfare fraud. Smaller proportions of women (between 2% and 19%, depending on the city) supplemented their incomes with illegal activities, such as dealing drugs or prostitution. The source of supplementary income depended heavily on the availability of legitimate jobs. One unmarried, 25-year-old former drug offender relied on public assistance and temporary agency work as her only sources of income. She described her struggle to regain custody of her three children, obtain work, and find suitable housing:

the worst part is now I have lots of [criminal] charges, so no one wants to hire me. When I get my kids back, no one will want to rent to us. No one will believe I am going straight and it will be hard to find a suitable place. I cannot pay for the deposits, application fees, rent and utilities and still support everyone by making \$6 an hour . . . so I might have to do some stealing and [selling] drugs again. (Holtfreter & Morash, 2001)

Welfare reform, coupled with a faltering economy during a downturn or for an extended period, create the conditions in which some women turn to illegal opportunities to make money.

The reality of poverty that is concentrated on women and juveniles, and its link to criminality, highlights the importance of theories that connect women's criminality to economic realities. Current public policies, which if fully implemented will require every mother who is not disabled to work after receiving welfare for 2 years, make it all the more important to understand this connection.

Economic Marginalization and Women's Criminality

Women's worsening economic situation, reflected by increased divorce rates, formation of female-headed households, fathers' failure to support their children, and the segregation of women in low-paying, traditionally female occupations—a constellation of situations referred to as the **feminization of poverty**—is tied to their increased involvement in consumer-based crimes, such as shoplifting and welfare fraud (Steffensmeier & Streifel, 1992). The most economically disadvantaged cities in the United States have the highest rates of homicide, aggravated assault, burglary, and larceny by both women and men (Steffensmeier & Haynie, 2000). The connection of economic disadvantage to crime is stronger for men, particularly for homicide involving strangers. Being a woman does not, however, negate the connection of economic marginalization to breaking the law. It is therefore critical to keep economic marginalization in the picture for explaining women's criminality, but to additionally consider other theories (for example, theories about pathways into crime and theories about identity) as useful explanations of the connection of gender to crime. We need to understand why women are similarly affected, but not as much affected, by the economic conditions that influence men's illegal actions.

Women's increasing representation among poor people in the United States suggests that over time, the ratio of the rate of females' offending to the rate of males' offending will become smaller; that is, that the gender gap in crime would narrow. The narrowing of the gender gap results from an increased prevalence of female-headed households, a persisting gender gap between the wages of high school-educated workers, increases in the unemployment of female heads of households, and the erosion of welfare (Heimer, 2000). In other words, there is a direct tie between the feminization of poverty and the decreasing gap between women's and men's rates of nonviolent economic crimes.

Neighborhood Context

One way that economic disadvantage affects criminality is through neighborhood context. In particular, the context of poor, socially disorganized neighborhoods with inadequate education, inadequate job training, and lack of sustainable community-level employment can promote involvement in an alcohol- or drug-related lifestyle (Wilson, 1996). African American women and their children are disproportionately residentially segregated in poor areas, particularly for female-headed households. At the same time that African American women bear the brunt of gender-related victimization, they disproportionately experience limited choices

for supporting themselves and their children and for keeping their families safe in crime-ridden communities.

In the neighborhood contexts of the truly disadvantaged, substance abuse, prostitution, and other crime can perpetuate each other. Women become involved in **the lifestyle** (Mancuso & Miller, 2000). Economically motivated prostitution promotes drug use as a way to handle stress and stigmatization, and the cost of drug use requires the financial rewards of prostitution. In turn, drug dependency creates the motivation for illegal activity that involves women in the underworld and criminal subcultures, which then increases exposure to deviant networks that provide support and opportunity for more illegal activity. Women in the drug economy, especially crack cocaine dealers, commit some violent acts to survive on the streets when they are attacked by robbers or competitors for business (Kruttschnitt, 2001). The physical threat from other dealers, customers, and suppliers stimulates the adaptive use of violence for protection of self and property (Baskin & Sommers, 1998). Individual differences along with local variations, like the unavailability of deviant networks, can lessen the relationship between economic marginalization and crime, but overall there is a connection.

There is some debate about whether the ease of manufacturing and selling crack opened unprecedented opportunities for women to sell drugs in some settings (Baskin & Sommers, 1998), or whether gender, race, and ethnicity limit girls' and women's entry into the drug economy (Maher, 1997). On one hand, during the crack cocaine epidemic in New York City, a group of African American teenage girls and young women from a disadvantaged area sold drugs and committed violent crimes (Baskin & Sommers, 1998). One woman described her economic motivation to sell cocaine:

I had lots of little jobs, but selling cocaine was always how I really made my living. My last job was, I was 18, I was a receptionist at a showroom. I was there maybe 1 year. It was okay. But I was already into selling cocaine. I started that much earlier when my father went to jail. I knew my father was selling coke. . . . And I felt that as my duty as taking care of my family I started selling coke. Now, I'd be selling for about 7 years. I went up and down. I could make \$500. I could make \$3000 a week. . . . I never stood on the corner and sold bags or anything like that . . . I was selling ounces with some Columbians. They became like my suppliers and stuff. I started like with myself; when my father came out I started like working with him. Then I stopped working in offices altogether. (Baskin & Sommers, 1998, p. 89).

The economic motivation to sell drugs placed women in situations where it was necessary to commit violent acts in response to robbery or aggressive competitors for business (Baskin & Sommers, 1998; Kruttschnitt, 2001). On the other hand, observation of a very active drug market in Brooklyn, New York City, confirmed that in that setting, men nearly totally dominated the managerial and supervisory activities in the network that distributed drugs (Maher, 1997, p. 87). Even when women were involved, their opportunities for higher-level involvement in the drug market depended on support from a male partner (Koester & Schwartz, 1993). One woman explained:

I moved up to Harlem, and um, I hooked up with this guy that was selling heroin. We used to get the quarter bag, and we used to cut it, and the shit used to be good. So I used to tap the bags, the quarter bags. . . . I didn't know I had a chippy (mild habit) till like about three years later, when he finally found out that I was messing with it—and all that time he trusted me. And I was handling the money and everything; everything was right there with me. But as soon as he found out that I was messing with it, it was like I was cut off. (Maher, 1997, p. 88)

In a New York City drug market, when women worked selling drugs, they were usually temporarily allowed involvement because “men were arrested or refused to work or . . . it was ‘hot’ because of police presence” (Maher, 1997, p. 88). The ease of entry was limited by gender-related differences in power and influence in the particular neighborhood context, and one result was that women were not as violent as were men.

Also in Brooklyn, the intersections of gender, race, and ethnicity shaped the opportunities that women had to earn money illegally and affected their support networks (Maher, 1997, pp. 177–189). The neighborhood was predominantly Latino, and Dominican men controlled drug distribution. Latinas from the neighborhood were involved in prostitution. Because they lived in the neighborhood, most started out by informally arranging with acquaintances to provide sex for money. Even when they worked on the streets, they often had connections to kin and friends in the area. African American and European American women had a history of working as prostitutes, were not from the area, and had previously worked and currently worked with a pimp. The European Americans could command higher prices for prostitution because of the prejudices and preferences of potential customers. Both African and European American women blamed local Latinas who were addicted to crack for the low market prices for sex, and thus they resented them. Aside from gender-related lack of opportunity, cultural prohibitions and stigmatization restricted Latinas involvement in selling drug (also see G. Moore, 1992). European American women were restricted because they looked “out of place” in the neighborhood context, so they were considered to be too vulnerable to police detection to sell drugs. Although each racial and ethnic group of women that Maher studied faced illegal work opportunities that were limited by gender, the particular reasons for the limitations and results were different depending on whether they were European American, African American, or Latina. As might be expected, cross-group social support was most common for African and European American women. The two groups from outside the area were unified by their blame of Latinas for lowering the price of sex work. Race and ethnicity would be expected to have different effects on opportunities for illegal work depending on the local context, but in many settings they change the effects of gender. It is critical to consider women in the neighborhood context where they work or live. Otherwise, it is impossible to see the patterns of inclusion and exclusion.

White-Collar Crimes at the Workplace

Many women who on the surface may not seem to be economically marginalized do commit white-collar crimes at work because of financial strains. Many men but

few women who were before several federal courts in the 1980s for white-collar crimes (bank embezzlement, income tax fraud, postal fraud, credit fraud, false claims and statements, bribery, and all antitrust and securities fraud) fit the profile of highly placed, powerful, financially well-off employees (Daly, 1989a). The majority of women white-collar criminals were clerical workers, and compared to their male counterparts, they were more often nonwhite, without a college education, and with few economic assets. Financial problems provided motivation to break the law.

There are additional gender differences in white-collar criminals and their behaviors (J. M. Collins & Collins, 1999). Among federal prisons, women tended to be other- rather than self-motivated. Unlike the men, women typically committed their offenses because loved ones (husbands, parents, or children) were in financial trouble or had health care-related financial needs. Their capacity for empathy was similar to that for non-offending women in similar managerial positions. In fact, their empathy with loved ones in need of financial help often motivated their offending behavior. Women's greater orientation toward caring for others (Gilligan, 1982) sets them apart from men who commit similar white-collar crimes.

The gendered dimension of the white-collar crime phenomenon is clear only when the label is unpacked to show the relative disadvantage that women in the category have relative to similarly categorized men. Compared with men, the women tend to experience gender disadvantages in the workplace and often are motivated to meet the needs of others through their illegal behavior.

Public Policy and Involvement in Crime

The connection between crime rates and the size of the disadvantaged population is weaker in metropolitan areas with high levels of welfare assistance (Hannon & Defronzo 1998). Consistent with this research finding, for women offenders in two U.S. cities, poverty was the most significant predictor of recidivism (Holtfreter, Reisig, & Morash, 2002). Women who lived in poverty were almost 5 times as likely to be rearrested, and they were 12 times as likely as other women to be probation or parole violators. After 12 months, obtaining public assistance was by far the strongest predictor of desistance from criminal activity (Morash, Holtfreter, & Reisig, 2002). The research on criminality and poverty raises serious questions about the potential effectiveness of policies that maintain welfare assistance below subsistence levels and force increased numbers of women into low-paying jobs.

Consistent with findings about the connection of obtaining public assistance to desistance from criminal activity, when the Supplemental Security Income program was terminated for individuals who were addicted to drugs or alcohol, individuals' criminality increased (Swartz, Martinovich, & Goldstein, 2003). Previously, Supplemental Security Income and treatment were available because addiction was considered a type of disability. For those who were disqualified and who did not have another qualifying disability, there were moderate increases in crime, especially for drug and property offenses. The increased drug use was highest 6 months after loss of benefits, and the other illegal activity was highest at the 2-year point after loss of benefits. The policy change produced a crime-prone population of drug users with limited access to treatment.

Parallel to policy trends in the United States, in Great Britain, girls' economic choices have been severely restricted by policy changes in the last few decades. Youth aged 16 and 17 can no longer claim social security benefits, and the rate for benefits has been reduced for people under 25 years old. There also have been cutbacks in training programs, people 18 and under are excluded from the minimum wage protection, and housing costs have risen. The result has been increased youth involvement in such illegal activities as shoplifting, begging, drugs, and—for young women especially—prostitution (Phoenix, 2002, p. 71). In and outside the United States, reductions in public benefits have created conditions conducive to crime for women and girls. Public policy is an important variable that explains illegal behavior.

Questions Answered by Macrolevel Explanations

Poverty-based explanations of illegal behavior address the question of why some women break the law for economic gain. Public policies, such as cuts in welfare benefits, also appear to explain some increases in girls' and women's breaking the law for economic gain. More than for men, women's white-collar crime can be explained by their economic needs. Their motivation, more often than for male white-collar offenders, is meeting the needs of loved ones. Just as women are marginalized from the legitimate economy, they are marginalized within the illegal economies that operate within some impoverished neighborhoods. This second marginalization explains why females commit different sorts of offenses than do males. Thus, macrolevel explanations shed light on why males and females break the law in different ways. The macrolevel explanations do not, however, explain the lower rate of serious offending among girls and women. We must look to contextual and individual-level explanations to address those questions.

The Life Course and Pathways Perspectives

Life course theories have challenged and corrected explanations for delinquency and crime that do not attend to the timing and sequencing of potential influences on an individual's illegal behavior. In a **life course theory**, a combination of events, context, and characteristics—including age and the related concept of stage in development—ultimately influences whether or not a person breaks the law, continues breaking it, or stops. Key events at particular points in time can start or interrupt a trajectory in a pattern of delinquency or adult offending. Life course theory identifies those key events, circumstances, and conditions that influence people to differ in whether or not they engage in illegal behaviors over time and in the nature of any lawbreaking.

Life course theorists who focus on delinquency work primarily from a psychological or social psychological child development perspective. Although they sometimes concentrate on behavior that is officially considered to be delinquent, they generally subsume delinquency under broader concepts, including aggression and what is called **conduct disorders** (also referred to as *antisocial behavior*).

Conduct disorders are indicated by some of a set of aggressive behaviors, including aggression to people and animals (such as bullying or intimidating others and stealing from victims while confronting them), destruction of property, deceitfulness along with lying or stealing, and serious violations of rules set by the family or school.

Girls may follow a unique gender-related *delayed-onset pathway* to delinquency and, unlike boys, rarely exhibit what is called *childhood onset conduct disorder* (Silverthorn & Frick, 1999).⁴⁴ Some boys' delinquency is the end result of a *childhood onset* pathway, in which conditions present in childhood spark a pattern of antisocial behavior while the youth are young. These conditions include cognitive and neuropsychological deficits, dysfunctional family environments, and the child's callous and unemotional interpersonal style. Girls with the same negative family conditions or individual characteristics as the boys who are labeled as having conduct disorder in childhood do not typically act in an antisocial way before adolescence. However, they are *more* likely than boys with a similar background to be antisocial during adolescence (Silverthorn & Frick, 1999).

The distinction between *childhood* and *adolescent onset* antisocial behavior may have important practical implications for girls. Even if girls have problems and backgrounds that are related to antisocial behavior in boys, some research has shown that almost no girls are antisocial during their childhoods (Silverthorn & Frick, 1999). Almost all of the girls who had behavior that was categorized as antisocial in adolescence had negative outcomes, including arrest, when they were adults (Silverthorn & Frick, 1999). Because girls with predispositions and family experiences that are predictive of continuing and increasingly serious criminality after adolescence rarely have preadolescent behavior problems, it is likely that high-risk girls do not receive special educational and family-oriented programming or interventions available to similarly predisposed and situated boys.

With but a few exceptions, life course theorists have emphasized the structural, family, and neighborhood contexts that shape boys' delinquency. In contrast, *pathways theory* and research has paid attention to the effect of sexual and other victimization and of relationships with other people who support crime, especially relationships to men who are intimate partners and/or sexual exploiters, on girls' and women's criminality. This emphasis in the pathways research is justified by the higher incidence of abuse among girls and women than among males, as well as the later onset of females' illegal behavior, which often begins in adolescence or early adulthood.

Girls' and Women's Pathways Into Delinquency and Crime

Observations, case studies, and intensive interviews that expose pathways into illegal activity provide the most detailed, direct, and humanistic picture of contexts, events, and choices over the life course that result in some girls and women breaking the law. Available data in court and other agency records also can be pieced together to provide detailed pictures of women's lives.

Daly (1992) analyzed presentence investigations for a federal court to develop a framework for differentiating the ways that women's lives lead up to an incident or a pattern of illegal activity.

- *Streetwomen* had been severely abused in childhood, lived on the streets, and were in court for crimes related to supporting their drug habit, for instance selling drugs, prostitution, and stealing.
- Like streetwomen, *harmed and harming women* were abused as children, but they responded with anger and acting out; for some, the use of alcohol or drugs contributed to their violence.
- *Battered women* typically had little or no criminal record, and they had harmed or killed men who had violently attacked them or threatened to do so.
- *Drug-connected women* used or sold drugs as a result of relationships with a male intimate, children, or their mothers, and also had a limited criminal record.
- *Economically motivated women* committed crimes to cope with poverty or out of greed.

Daly's typology pinpointed key gender-related influences on crime. These include childhood abuse, victimization by intimate partners, and the central role of relationships with men.

Childhood Abuse

Chesney-Lind (1989; Chesney-Lind & Rodriguez, 1983) drew attention to the effect of childhood victimization, particularly sexual abuse, as the starting point for girls' eventual involvement as offenders in the juvenile and later the adult justice systems. Many abused girls and young women who have run away from home, often after the courts failed to stop the abuse, become involved in prostitution or petty property crimes in order to survive (Chesney-Lind & Rodriguez, 1983). Although the outcome for abused girls is not always running away and living on the streets, when it is, some of those with no marketable skills continue to support themselves with illegal activities in adulthood. Criminality can be the outcome of what are sometimes lengthy histories of abuse and the failure of the juvenile courts to help girls, and the girls' continuing attempts to escape abuse and survive away from home (R. Arnold, 1990; Chesney-Lind, 1997).

Qualitative data from one recent study clearly illustrated the role of past victimization in girls' delinquency and subsequently in adult women's criminality. For a 20-year old woman, who was currently drug-free and participating in a women's support group for former prostitutes, the pathway into illegal activity began with sexual abuse by a relative. After her repeated unsuccessful attempts to stop the abuse ("no one believed me"), she ran away and sought protection, food, and a place to stay by joining a prostitution ring. The pimp who provided housing was physically abusive and encouraged her to begin using crack cocaine. She reported that after she became addicted at the age of 14, she would do anything for her pimp to get his drugs, she didn't know what else to do, and she could not go home (Holtfreter & Morash, 2001).



Some girls run away from home to escape abuse. Later, they become involved in illegal activity in order to survive on the streets, and some use drugs and alcohol to deal with their distress.

The causal connection of sexual abuse and chronic traumatization to running away, followed by illegal activity, is strongly supported by additional research on women engaged in prostitution. In several parts of the world, between 60% and 90% of prostituting women have been sexually assaulted as children (Farley & Kelly, 2000). One woman provided a poignant, from-the-streets assessment:

We've all [the prostitutes] been molested. Over and over, and raped. We were all molested and sexually abused as children, don't you know that? We ran to get away. They didn't want us in the house anymore. We were thrown out, thrown away. We've been on the street since we were 12, 13, 14. (Boyer, Chapman, & Marshall, 1993, p. 16)

Some women and girls react to their own criminal victimization by escaping from abuse into a lifestyle marked by illegal behavior and continued abuse by others.

Victimization of children also is connected to their involvement in illegal behavior through the use of multiple types of drugs. One 15-year-old explained the connection of prior sexual abuse to drug use:

It [the abuse] hasn't had an effect. I hurt when he did that, not physically but in my head. So I do a lot of "fat rail" [drugs]. Then I don't feel it. You think about—the stupidest shit. Sometimes I just cry all day. (Acoca, 1998, p. 571)

Although the girl claimed that abuse did not have an effect, it clearly did result in emotional problems. The use of illegal drugs to block out confusion, distress, and pain resulting from abuse or other sources is referred to as **self-medication**.

Another outcome of abuse is summarized in Daly's (1992) typology under the category *harmed and harming women*. One of the few studies of women who have killed children revealed the serious psychological harm that can result from childhood abuse of girls (Crimmins, Langley, Brownstein, & Spunt, 1997). The women had all been neglected or abused during childhood, but not all had followed the pathway of running away, prostitution, substance abuse, or other criminality. Their childhoods were uniquely marked by extreme unavailability of predictable adults to meet their needs and keep them safe, coupled with the lack of other supports. Homicide is a rare outcome of abuse, but because girls are more often and more frequently sexually abused than boys, the study provides important insights on the connection of girls' abuse to later criminality.

Taken together, knowledge about life course events and involvement in illegal behavior and about girls' and women's pathways into crime suggests that in similar neighborhood environments and families, girls and boys will have different experiences, and these experiences can have different meaning and therefore different effects. Both male and female offenders have experienced childhood sexual abuse at higher levels than are found in the general population, but for girls the abuse starts earlier and lasts longer (Chesney-Lind, 2001, p. 141). For girls, the result is often running away and substance abuse; for boys, it is more often aggression.

Women Who Kill Abusive Intimate Partners

Research on incarcerated women shows how they came to kill an abusive partner. The women had adjusted to living conditions and attacks on themselves, and sometimes their children, which were increasingly severe, and when they felt there was an "unprecedented threat," that "he had never done *that* before," they took lethal action against their abusers (Browne, 1987, p. 130). An unresponsive justice system is one of the influences on women's perception that they had no alternative but to kill or be killed. Women's rates of committing homicide are related to two measures of potential help: the amount of domestic violence legislation and the availability of shelters and other services (Browne & Williams, 1989). Regardless of other strong predictors of women's homicide rates, both legislation and resources are important additional predictors of homicide by women. When women live in parts of the United States where laws and resources do not help them, abuse by male partners more often escalates to the point that the women strike back at their abusers as a last resort.

The Centrality of Relationships to Other People

Alternative theoretical explanations of girls' and women's illegal actions have recognized that women's investment in relationships with family members or other intimates affects their criminality. As noted above, women white-collar offenders frequently committed their offenses to help other family members in need of cash. Also, battered wives have endured escalating violence in an effort to understand the batterer and keep the family together, but when the violence becomes life-threatening, some respond by killing the abuser.

Based on in-depth interviews, Richie (1996) showed how the nature of women's relationships with abusive men explained how they came to break the law. A complex interplay of socialization and immediate circumstances entrapped New York City jail inmates in relationships that led to various criminal outcomes through several different sequences of events. When the abusive relationship resulted in the death of a child, some women were charged as accessories or perpetrators.⁴⁵ Constant beatings by one man resulted in one woman's murdering another man who seemed to be threatening her with a similar beating. Some men forced women into prostitution and beat them if they would not bring in adequate income, and some would beat women unless they brought home illegal income, for example from stealing from their employers. Black women in particular, who tended not to use social services to get help, killed their abusers in retaliation. Battered women also took drugs in an attempt to share an activity and intimacy with their abusers, or to numb the pain caused by abuse. Resulting drug dependency fueled criminal activities. All these scenarios revealed that gender ideologies and gender-related power inequities entrapped women in relationships that led to their criminal behavior. **Gender entrapment** involves women being lured into a compromising act, and it can result in some women being forced or coerced into crime because of their gender role expectations, violence in intimate relations, and their social location, which limits access to resources (Richie, 1996, p. 133). African American women in particular were entrapped by circumstances.

Alternative Pathways Into and out of Illegal Behavior

The book *Street Woman* (E. M. Miller, 1986) detailed the lives of Milwaukee women offenders who were recruited to the study through halfway houses, correctional institutions, and the suggestions of women from these places of other women to interview. The women, who were interviewed in 1979, were disproportionately minority in relation to the city's population, had children, were in their twenties, and had limited education and little legitimate work experience. Although data were collected in 1979, *Street Woman* still stands as one of the best explanations of how individual choice, life's circumstances, immediate social context, and particular events come together to influence women's pathways into delinquency and crime. Even though childhood sexual victimization, intimate-partner violence, or some other critical experience can explain many women's involvement in crime,

quite different events and circumstances can lead to the same end, and similar events and circumstances can result in different outcomes.

For the women described in *Street Woman*, diverse life circumstances, ranging from extreme poverty to economic stability, typified women who broke the law. Women's involvement in crime was affected by context, specifically neighborhood conditions and family relations. Deviant street networks, often overlapping with family networks, were essential to recruiting, maintaining, and supporting women active in prostitution, selling drugs, stealing, and other "street hustles." Miller documented that strict or abusive families or families that generated income through illegal means could promote women's offending. Girls often ran away from strict or abusive families, and this move exposed them to pressures and opportunities to break the law. Even if their family networks did not overlap with deviant groups, runaway girls could locate themselves in deviant networks on their own. Additionally, girls' and women's own agency, reflected in desire for excitement or money, had an impact on their lawbreaking. For both males and females, individual decision making, often related to identity, can counteract circumstances and situations in the family and community that support crime and delinquency.

Many of Miller's (1986) findings have been confirmed in more recent research. A study conducted in the 1990s in New York City (Maher, 1997, p. 93) verified the importance of preexisting social and kinship networks for providing women access to participation in the drug economy that Miller had identified decades before. In New York, female-centered deviant street networks provided information and support that enable lawbreaking (A. Campbell, 1990; Maher, 1997, p. 35; J. Moore, 1991). Also, there has been some interesting, data-driven revision to prior theorizing that girls are not typically involved in gang-related delinquency, and if they are involved in a gang at all, it is as a girlfriend and member of an "adjunct" group to the boys' gangs (Chesney-Lind & Hagedorn, 1999).

A good example of an advance in research on girls and gangs is a study in Milwaukee. The study had two features that produced especially valid information (Hagedorn & Devitt, 1999). First, the sample size was relatively large, at 72 women who had been members of gangs when the groups took their names, and 176 additional women who were identified as being members of the eight gangs that the original group belonged to. Second, female gang members worked collaboratively with the researcher to develop the questions and carry out the interviews. The research could therefore shed more light on the standpoint of girl gang members than could previous studies that tried to understand girls by asking questions of the male members or by having a male researcher observe the gang. The study findings challenged several assumptions about the connection of girls to delinquent gangs and the nature of the girls' delinquency.

Although Milwaukee boy gang members in an earlier interview had described girls as not really in the gang, as allowed into the gang only with agreement by the male members, or as under the control of male gang members (Hagedorn, 1988), both African American women and Latinas felt they had started their gangs without male involvement, often based on early childhood friendship groups (Hagedorn & Devitt, 1999, p. 266). Some Latinas said that the gang was led by a man, but none of the African Americans said this. The Latinas who were least

acculturated to the United States held traditional views of gender differences, most often said that a male had "called the shots" in their gang, and most often felt that their experiences in gangs were primarily negative (Hagedorn * Devitt, 1999, p. 268). Less-traditional Latinas described more self-directed and positive involvement with gangs. There was disagreement between gang members about who the other members were and, for girl gangs or parts of gangs, about the importance of males in allowing membership and providing leadership. A person's ethnicity and gender affected how experience in the same gang was constructed. Additionally, members of the different gangs provided evidence that girl gangs varied greatly from each other in how they were formed, whether they were involved in drug selling, and how and whether they were related to groups of males who self-identified as gang members. Miller's finding of the great diversity in females' responses to similar circumstances is repeated by the more recent findings about girls in gangs. Depending on ethnicity and gender, gang members differed in their perceptions of girls in gangs, and the girls differed markedly from each other in their experiences in gangs that stimulate delinquency.

Research also has confirmed the variation in how adults end up in the same patterns of illegal behavior through different routes. In a study conducted at the end of the 1990s (Erickson et al., 2000), 30 women who gave diverse accounts of how they ended up working as prostitutes and addicted to crack. Explanations for initially using crack included multiple life crises, such as being raped or losing a child, wanting to escape feelings of depression, or progression from other drugs. Some of the women engaged in prostitution after they began using crack in order to support their lifestyle and buy the drug. Others were already making money through prostitution before they used crack. One woman explained how she self-medicated by using drugs to deal with multiple people touching her in the course of working in prostitution:

I've been doing it (prostitution) since I was 15 years old, that's like what I know best. I started prostitution to support my habit for alcohol and marijuana . . . when you have so many people touching your body, I did the drugs first. I got addicted (to crack) when I was 18 and I've never stopped since that. (Erickson et al., 2000, p. 775)

For the women addicted to crack cocaine, a common thread in their lives was that at some point, the desire for drugs that made them feel good sustained their involvement in prostitution.

Many women are influenced to begin, to resume, or to stop using illegal drugs by their concerns and experiences with maintaining custody of children. In-depth interviews with women in the Pima County, Arizona, Adult Detention Facility provided examples of women desisting from drug use in efforts to obtain custody of their children; however, because they could not accomplish the logistics of establishing a living quarters, meeting sometimes intensive probation supervision requirements, or in some other way, they ultimately permanently lost custody (Ferraro & Moe, 2003). Two women explained their relapse into patterns of drug use. One woman said:

They told me again that they were going to take my kids away, so I started doin' drugs again. And then, prostitution came in. (Ferraro & Moe, 2003, p. 30).

The other said:

They said I had a drug problem, and I don't even know where they got that. I wasn't even doing drugs. I did start drugs after I lost her. About two to three months later, I did it. It was like, "Hell, they said I did it." I didn't have nothing to lose then. I had already lost her, so that's when I started doing drugs. (Ferraro & Moe, 2003, p. 30)

Other women explained how they stopped using illegal drugs and alcohol and were able to regain custody of their children. For both groups, the motivation to use or not use drugs was custody of children.

Regaining custody of children, obtaining a decently paying job, finding a place to live, or establishing a relationship with a non-abusive and supportive partner are the sorts of events that have been referred to as **hooks for change** (Giordano, Cernkovich, & Rudolph, 2002). They are life events that, in combination with immediate context and a person's inclinations and motivations, influence desistance from patterns of criminal activity. As Miller and others have previously demonstrated, women come to the same point through different series of events, decisions, and circumstances. The pathway leading to and leading away from repeated illegal behavior is certainly affected by gender, race, and ethnicity, but there are no standard routes for females, just as there are no standard routes for males (Laub & Sampson, 2003).

So far, discussion of context has centered on how family, networks, and relationships explain how some girls and women become involved in breaking the law and why they continue doing so. Both familial and other networks open up some, but not other, possibilities for lawbreaking. Context also limits the type and the amount of illegal activity that girls and women do. The limitation results in part from the effects of context on gender identity. Thus, the connection of gender identity will be discussed next, and it will be followed by material on the way that context influences identity.

Gender Identity and Crime

At the individual level, the concepts of *hegemonic masculinity* and *emphasized femininity* help to explain gender differences in amount and type of lawbreaking (Heimer, Unal, & DeCoster, 2000). **Hegemonic masculinity** implies a high degree of power and influence over other people. These people include women and men who have subordinated masculinities and who are working class, homosexual, or ethnic minorities. **Emphasized femininity** implies behaviors that support hegemonic masculinity. Both masculinity and femininity result from societal beliefs, norms, and attitudes that promote particular *gender definitions*. Family members encourage behavior consistent with particular gender definitions, and gender segregated play

groups tend to reinforce these definitions in childhood and during adolescence (Heimer, Unal, et al., 2000). When they play, boys encourage each other to be tough, competitive, and aggressive. In contrast, girls typically play in small and intimate groups. They encourage each other to be concerned with relationships in the group, and they focus on appearances, emotional skills, and nurturing each other.

School curricula, extracurricular activities, interactions with teachers, and the media may contain mixed messages about appropriate behaviors and attributes of girls and boys, but ideas consistent with hegemonic masculinity and emphasized femininity are readily available in the media in the United States and elsewhere, and in many families and social groups. On the whole, definitions of masculinity are more consistent with breaking the law than are definitions of femininity.

There is a fairly large literature on how males' different forms of self-identification as boys or men contribute to some of them being criminal and committing particular types of illegal acts. Perhaps there is the emphasis on masculinities and crime because so many more males than females break the law. In theoretical explanations of females' behavior, the focus has been on how traditional emphasized femininity limits the forms of girls' and women's illegal behavior. This literature has focused on the question of why males are so much more seriously delinquent and criminal than are females. Identity that incorporates emphasized femininity stresses passivity, subservience, caring for others, and the activities of wife and mother, and all of these are incongruent with aggressive lawbreaking. Theory has paid relatively little attention to what forms of gender identity support females' involvement in illegal behavior, though the limited work in this area is quite interesting. In contrast, theory about males' gender identity has described criminal activity as a handy resource for accomplishing quite a variety of different forms of masculinity. Overall, the various theories that have been developed to explain crime and delinquency posit that feminine gender identity limits women's and girls' possibilities for illegal activity. For males, theories attend to the intersections of masculinity with race and class inequalities as important influences on the amount and type of crime a person commits. This is clearly an unbalanced view: Females are most fully understood by examining limitations resulting from gender, and males, while limited by class and race inequalities, are depicted as active and resourceful in using available resources, including crime, to construct a masculine identity.

Boys and Men Breaking the Law

Alternative masculine identities, which are more or less possible depending on social class and related contexts of daily life, support alternative types of criminal activity (Messerschmidt, 1986). At the same time, one or another type of criminal activity makes it possible to live up to an image of a successful man, and therefore to accomplish a particular form of masculinity. Within a capitalistic society like the United States, in particular social contexts, different groups of men—for example, chronically unemployed men in urban ghettos or managers in U.S. corporations—interact with their peers, and through this interaction they construct and negotiate what it is to be masculine. Capitalism stimulates an interest in the acquisition

of material goods, so that even a wealthy individual will seek more fortune, perhaps by breaking the law, as a mark of being a successful male. Different notions of manliness are linked to different ways of doing gender, and some men accomplish gender through particular sorts of crime.

As an example, shop-floor men steal goods in the workplace in groups to “beat the system” and impress each other, but managers commit corporate crimes when profits shrink and they feel their identity as successful businesspeople is challenged (Messerschmidt, 1987). Following are descriptions of other types of masculinities that support various sorts of crime and violence:

Men’s rape and assault of women reflects a masculinity of domination, control and humiliation, and degradation of women. Other types of harmful conduct involve a shameless masculinity or a masculinity of unconnectedness and unconcern for others. When called to account for exploitative conduct, men’s responses may be rage rather than guilt, or an amplification of non-caring identities such as “badass.” (Braithwaite & Daly, 1994, p. 222)

The main idea is that alternative masculinities support various types of both lawbreaking and law-abiding behaviors.

In some families, physical violence is routinely used as a means to solve problems, and therefore violence provides boys with a plausible and meaningful way to construct masculinity and become attached to an admired adult male, for example one’s father (Messerschmidt, 2000). Based on his research on a small number of boys who were either physically violent or who engaged in sex with younger children, Messerschmidt (2000) concluded that the key influence on these behaviors was the family conception of what it means to be a real man. Boys saw sexual aggression and physical fighting back as a resource for accomplishing masculinity, of being what they defined as real men acting with power and control in the context of family and school, where other resources were not available. Another life history study of a teenager who pressured and rewarded a much younger cousin to engage in sex over a period of several years also illustrated how a boy who could not act according to his image of a man used sexual coercion to “be masculine” (Messerschmidt, 1999). The boy had been repeatedly teased and rejected by classmates who saw him as “fat,” “a wimp,” and an outcast. He failed at his attempt to demonstrate his manliness by losing weight and playing football. He explained how his sexual coercion of his younger female cousin helped him feel like successful as a male:

It made me feel real good. I just felt like finally I was in control over somebody. I forgot about being fat and ugly. She was someone looking up to me, you know. If I needed sexual contact, then I had it. I wasn’t a virgin anymore. . . . [With my peers] I could now talk about sex with them if I had to. I knew what it looked like and how it felt now, kind of thing. So I felt I fit in more. (Messerschmidt, 1999, p. 205)

Case information like that presented above provides support for general conclusions about the connection of masculinity and criminality. When a boy or man feels

his masculinity, however he defines it, has been called into question, or when sex categorization is ambivalent and masculinity is “on the line”—if there are not legal ways for a person to accomplish his idealized version of masculinity, criminal behavior can provide a solution. Alternative masculinities are developed in part from childhood experiences with family or guardians, and in part in reaction to the realities of available ways to fill one’s image of a “real man” in light of personal physical characteristics and the cultural and economic resources that are available.

There is another take on the degree to which masculinities come into play in the production of violence. Alder and Polk (1996) used Australian coroner files to develop descriptions of men who killed a person under 18 years old. The murdered children varied from infants who died at the hands of stepfathers or birth fathers to teenagers killed by young men not much older than they were. For confrontations between young men and for spousal fighting that resulted in the death of a child, either inadvertently or on purpose, the criminal acts appeared to affirm a particular version of masculinity, and indeed seemed to be provoked by a direct threat to hegemonic masculinity. Polk (1994) provided an example involving an adult victim:

Mick F. [age 36, unemployed] started his drinking at the house of a friend late in the afternoon, and then the two of them moved off to their local, the Victoria Hotel. They continued drinking “shout for shout” for some time (Mick’s blood alcohol was later found to be 0.147).

In the middle of the evening, the group was approached by Jimmy S. (age 53), another of the pub regulars. Jimmy, also feeling the effects of alcohol (some hours later, his blood alcohol was still found to be 0.197), upbraided Mick for some insulting comments he had made towards his “missus” (observers commented that a trivial exchange had occurred between the two earlier in the day, or at least in their view the comments were trivial). There were mutual insults and challenges, and finally Mick hauled back and struck Jimmy, a short fight ensued, with Jimmy being rather badly beaten. Hurt as well as drunk, Jimmy needed help from bystanders to make his way out of the pub.

After Mick and his group settled back to their drinking, they were interrupted by Jimmy’s *de facto* wife, who proceeded to abuse Mick for his beating of Jimmy. Then, Jimmy himself re-entered the bar. Without a word he walked up to Mick, pulled out a knife, and stabbed him once in the chest. As before, Jimmy was set upon, this time by the friends of Mick. Jimmy was assisted out of the pub by his *de facto* spouse. Help was summoned for Mick, but the knife had penetrated his heart and he died before he could reach the hospital. (p. 00)

Key features of this and similar examples are the public nature of the accomplishment of masculinity, a contest of honor between males, and the offender’s lower-class status, which limited alternative means for publicly establishing the men’s version of masculinity.

It is important to keep in mind that the vast majority of men in poor neighborhoods or in financial straits do not identify as hustlers or aggressors in order to feel that they are successful men (Newman, 1999). The so-called working poor, who include large proportions of African Americans and Latinos, have a strong work

180 UNDERSTANDING GENDER, CRIME, AND JUSTICE

ethic and work at jobs that most other people would not accept. They maintain their dignity and, as the title of Newman's book states, they feel there is "no shame in my game." One recent immigrant from Jamaica who lived in a tough section of Harlem explained how he maintained his pride in the face of peers who taunted him for making a living "flipping burgers":

What I did was make Sam [the general manager] save my money for me. Then I got the best of clothes and the best of sneakers with my own money. Then I added two chains. Then [my friends] were like, "Where you selling drugs at?" and I'm like, "The same place you said making fun of me, flipping burgers. That's where I'm getting my money from. Now, where are you getting yours from?" They couldn't answer. (Newman, 1999, p. 100)

People are inventive, and they can cope with limited opportunities in a variety of ways, one of which is to take pride in scratching out a living in the service economy and avoiding criminal activity.



In low-opportunity neighborhoods, the working poor outnumber residents who break the law. They see themselves as having a strong work ethic and being on the right side of the law.

Girls and Women Breaking the Law

Correcting the relative inattention to gender identity and girls' illegal activity, there is theory and research on girls and gangs that considers this topic. The lasting quality of traditional gender ideologies (that is, *emphasized femininity*) has been used to explain the typical roles that girls play in gang activities. Sometimes, female groups are primarily an annex to male gangs, and the girls support boyfriends and others in the group but are largely controlled by them and involved in gang activities in minor ways (A. Campbell, 1991). In contrast, other girls describe themselves as full-fledged members of gangs that include males, and the male members agree with the girls' account. Interviews with 24 Latinos and 9 Latinas who were former gang members in Phoenix, Arizona, revealed that in order to escape patriarchal family practices that emphasized girls' roles taking care of the household or siblings and that afforded them little personal freedom or independence, girls were with the gang for part of each day, sometimes for very extended periods (Portillo, 1999). Those who grew up in the neighborhood with the male members and those who were "jumped in" (beaten) by other members as part of initiation were routinely accepted as members, and many of them expressed in dress, speech, and behavior a type of **oppositional femininity** that included characteristics of loyalty, bravery, willingness to fight, and fighting ability. Some Milwaukee girls who were members of gangs, including all-girl gangs, were similarly proud of their fighting ability (Hagedorn & Devitt, 1999). One Milwaukee female gang member responded to questions:

Q: When you were active in the gang, how did you personally feel about fighting?

A: I loved it.

Q: Why?

A: 'Cause I used to kick ass! (Hagedorn & Devitt, 1999, p. 257)

Milwaukee girls who fought just because they liked to, which was the predominant motivation for African American girls, had less of a male-centered outlook than did girls who fought primarily to show their solidarity with other gang members. The African American fighting girls were less likely to be in a relationship with a man and did not see a male partner as essential to ensuring a good future. Overall, girls' fighting was "mainly tied to adolescent rebellion from home, school, and traditional gender roles" (Hagedorn & Devitt, 1999, p. 275). It also was tempered by some limits on rebellion, including not using firearms or violence to the extent that males used them because of lack of access, knowledge, or an inhibiting sense of self. Fighting girls at times adapted when they were with family or were expected to be more traditionally feminine in some other way by a boyfriend or other peers, and motherhood or moving out of the area eventually interfered with some girls' ability to be part of a gang. Yet, there are instances when girls defy emphasized femininity for extended periods and they act in ways that produce different forms of femininity.



Young women who hang out together on the same corner in their Brooklyn, New York, neighborhood drink malt beverage and practice their technique for hiding a razor blade in their mouths, for use as a weapon.

Like the researchers in Milwaukee, Laidler and Hunt (2001, p. 657) questioned the assumptions in prior work that either (a) girls in gangs are stereotypical girls in their roles as sexual chattel, personal property, or maladjusted tomboys; or (b) they are seizing the streets, gaining independence from, and almost competing with, their male counterparts. Their research was unique in its inclusion of Vietnamese, African American, Samoan, and Latina heritage girls and young women in the San Francisco Bay area. They first considered the different ways that femininity was constructed within the girl gang members' families, and then how girls renegotiated and managed the paradoxes of femininity at home and on the streets.

That the young women held traditional notions about femininity was evident in their ideas about respect (Laidler & Hunt, 2001):

Respect has a lot to do with the way she [a girl] presents herself. The way she acts around guys and girls at all times. She isn't a ho [whore], she's not all desperate with the drugs. She acts like a woman. Some girls kick back and don't have respect from the guys. Some homegirls [gang girls] see each other, and they start cussing [at each other and at the guys]. . . . It starts getting ugly, and he'll hit her. Better calm down. They [those homegirls] got no respect for themselves. (p. 664)

This view of respect differs from the emphasis on power and control that is tied to notions of masculinity. It limits sexual behavior and overt expression of aggression. Other statements by the girls revealed their concerns with being good

mothers. However, the context of street life made it unrealistic to completely refrain from seemingly unfeminine aggressive behavior, even when broadly defined. Respectability also meant being able to stand up for oneself (Laidler & Hunt, 2001). The girls aggressively postured and engaged in violence with each other in an attempt to “look bad” and to protect themselves in a hostile street environment (Laidler & Hunt, 2001; also see Maher, 1997). Given the constraints of their social location both on the streets, which were dominated by powerful men, and as lower-class girls of color within the larger society, fighting brought status and honor and therefore made it possible for girls to confirm they were “decent” and “nobody’s fool” (Laidler & Hunt, 2001, p. 675). The girls were negatively affected by their social locations, and their buy-in to some aspects of emphasized femininity constrained them, but they also improved their position through their seemingly unfeminine actions. They modified the stereotypical feminine identity accordingly.

The history of the Black Sisters United (BSU) girl gang also reveals forms of femininity that supports and reproduces noncompliance and resistance to hegemonic masculinity (Venkatesh, 1998). The group, which was a collection of “sets” or other groups, was the largest coordinated all female gang in Chicago. Members initially formed an alliance to help each other respond to problems such as harassment and abuse by males and to provide numerous social activities. The group operated fairly formally, with a coordinating board that drew representatives from groups scattered across the city.

In response to the urban economy’s polarization into a high-wage corporate sector and a low-wage service sector, younger members increasingly wanted to cooperate economically, not just socially, with an all-male gang that was engaged in drug trafficking. As research in Brooklyn, New York, has shown (Maher, 1997), the amount and nature of women’s participation was affected by gender differences in power and influence: “the [drug] economy was fundamentally gendered vis-à-vis historic control of supply lines, street distribution sites, and regulatory systems by men who at the street level retained an affiliation” (Venkatesh, 1998, p. 106). As a result, BSU’s “participation never reached equity status, and the roles available to them were almost always subordinate to the roles of male gang members. Generally, BSU rank-and-file members received a small allowance in exchange for monitoring police activity or holding drugs and cash for male gang members” (Venkatesh, 1998, p. 106). With dominance in the drug economy, males used of harassment and abuse to limit BSU members’ attempts to increase their profits from drug-related activities.

Although realities of power differentials for women and men in Chicago constrained the activities of women and limited the outcomes of their efforts, BSU members did act in their own economic and social interests. BSU members did not just internalize, but they also modified and reproduced feminine gender identities. The group initially formed to address problems of male dominance and abuse, and even as some of the members were drawn to cooperate with males and be subordinated in drug dealing markets dominated by males, others consciously chose not to. In fact, they purposely took steps to disband the BSU when they thought it was becoming a support system for men’s operations. The typologies of types of masculinity and types of femininity do not fully reflect the way that people develop their own gender identities to depart from pure types or how they change their

identities over time. In some forms at some times, a criminal activity can support a person's notion of femininity, just as criminal activity can support different notions of masculinity. More broadly, context has an impact on a person's gender identity and influences the amount and the type of a person's illegal behavior.

Gender Identity in Context

Gender Differences in the Amount of Delinquency

Identity develops in the context of family, peers, community, and larger structures of inequality that characterize many families, neighborhoods, illegal markets, and peer groups. Some promising new theories to explain how girls' and boys' differing experiences during adolescence result in boys' greater violence and other serious lawbreaking have taken context and gender identity into account. According to **everyday practices theory**, gender differences in everyday patterns of action and practices, especially in the family and among peers, account for the gender difference in delinquency by making some illegal activities unavailable as resources for accomplishing gender (Bottcher, 2001). In **gender definitions theory**, a combination of gender definitions and ideas that are more or less favorable to breaking the law (Heimer & DeCoster, 1999) explain why boys break the law more than do girls, and traditional views of gender are among these definitions. A third explanation, **power control theory**, is that gender differences in delinquency result from the degree to which families are patriarchal rather than egalitarian, that is, characterized by shared power and decision making by mother and father (Hagan, Gillis, & Simpson, 1985; Hagan, with Simpson & Gillis, 1988). The idea is that different forms of gender identity are supported by families that are patriarchal than are supported by those that are more egalitarian. Each of the three theories considers gender-related restrictions on girls, and each reveals the supports (and limits) for gender identities that can and cannot be accomplished by breaking the law.

Everyday Practices

An examination of what high-risk adolescents in California actually do on a day-to-day basis showed how several key practices that were different for girls and boys explained why sisters of highly delinquent boys less often broke the law than their brothers, even though they were exposed to the same communities and families (Bottcher, 2001). In the practices of making friends and having fun, partly as a result of parental concerns about girls' becoming pregnant and partly because of peers' view of different activities being appropriate for boys and girls, males more often belonged to large peer groups and gangs, spent time with unsupervised peers, "received social support to be delinquent, had access to privacy and to time and space away from home, and enforced gender-defined friendship group boundaries" (Bottcher, 2001, p. 910). Different from the boys, the girls became sexually involved with single partners at a young age, were independent from their families earlier, and when they had children, assumed responsibility for their care (Bottcher, 2001,

p. 917). The context of neighborhoods with few economic opportunities provided boys with incentives that, because of practices of having fun with friends and delayed assumption of parental responsibilities, influenced them to stay away from home and break the law for enjoyment or profit. Girls were often excluded from the crime-supportive contexts by parents and peers, or by their own sense of responsibility for caring for their offspring.

To explain the California sisters' and brothers' different levels of delinquency, Bottcher conceptualized gender differently than Messerschmidt and others who adopted his emphasis on masculinities. For Messerschmidt, gender involves structure and action. Social patterns, for example the division of labor between females and males, define what it means to be feminine and what it means to be masculine. For example, when males and females conform to stereotypical divisions of labor in they family, with the women and girls cooking and the men and boys doing the yard work, they are in effect affirming the division of labor and re-creating existing structures. Bottcher instead saw gender as a set of social practices in a particular context. Social practices that work against girls' involvement with delinquency include girls' greater restriction to their homes and their tendency to seek and assume child care responsibilities at an early age. Despite these differences, both theoretical approaches connect gender to the level of resources and opportunities available in a person's immediate social context. Because she considered both girls and boys in her theory and research, Bottcher (2001, p. 926) was able to reveal how power relations, shown for example when boys restricted girls from some illegal activities, helped to determine who "needs" the delinquent options and, among the "needy," who gets them. This understanding helps us to make sense of the emphasis that characterizes criminological theory—that crime is a resource for accomplishing masculinity, but in girls' day-to-day practices, the resource of crime often is not available and may be less needed to accomplish femininity.

Gender Definitions

It has long been recognized that people who see or define things in a way that supports lawbreaking more often commit crime and delinquency, and that definitions are learned and supported during interactions with other people (Sutherland, 1924). Girls are less likely than boys to learn definitions favorable to breaking the law (Heimer & DeCoster, 1999). The bond that daughters have with their parents and the time they spend together reduce girls' learning of definitions that are consistent with crime and violence. Also, girls' violence is reduced because they learn traditional definitions of gender that portray females as nonviolent. Poverty and the related experience of living in high-crime neighborhoods foster delinquency through associations with other people who promote a way of looking at the world that is conducive to crime, but this happens more for boys than for girls.

Power Control Theory

Both *everyday practices* and *gender definitions* explanations emphasize the consistency with which girls are less delinquent than are boys. In contrast, in power

control theory, whether girls and boys differ in their levels and types of delinquency depends on the nature of the family. In egalitarian families, mothers and fathers have equal power; but in patriarchal families, fathers dominate in decision making and control. Patriarchal families are characterized by greater differentiation of roles considered ideal and acceptable for males and females. Therefore, girls and boys are treated quite differently, and they are expected to act very differently. Research to test power control theory has had mixed results (Morash & Chesney-Lind, 1991), but there are continued refinements and retests, in part because the explanation attends to variation within gender groups, not just differences between girls and boys.

Tests of power control theory at first produced findings that because of stronger paternal controls, in patriarchal families girls are less likely to be risk takers, and therefore may engage in less delinquency than girls in more egalitarian families (Grasmick, Hagan, Blackwell, & Arnecliv, 1996, p. 193). The implication for egalitarian families is negative, because they seem to support girls' delinquency. Given documented low levels of girls' involvement in serious delinquency, a more important finding is that the active role of mothers in the egalitarian family, along with the tendency to provide boys with similar supervision and treatment to what is provided to girls, appears to put a damper on boys' delinquency. In the more egalitarian family, boys do not tend to be high risk takers, they are less likely to believe they can act with impunity, and they are less likely to be delinquent than are boys in patriarchal families (McCarthy, Hagan, & Woodward, 1999). Also in the more egalitarian family, boys more than girls feel they will be more embarrassed if the people whose opinions they value know that they have been involved in various delinquent acts (Blackwell, 2000). That boys in egalitarian families experience more involvement and control by their fathers than do those in patriarchal families may explain their greater embarrassment, because youth often most identify with the same-sexed parent. Overall, research has shown that boys in the egalitarian families less often exhibit characteristics that are associated with the versions of masculinity that support delinquent behavior in the more patriarchal families. Although the egalitarian family may offer girls some leeway to break the law, at the same time it suppresses the greater problem of boys' delinquency (Blackwell & Reed, 2003).

The Salience of Gender Identity in the Causation of Crime and Delinquency

Theories that emphasize masculinity and femininity as explanations of law-breaking assume some congruence of a person's gender identity with his or her behavior. It is not necessarily the case, however, that violent and other illegal behaviors are a response to threats to one's gender identity or difficulties in living up to definitions of femininity or masculinity. Some crime and delinquency may have nothing to do with gender identity. In a group of primarily lower-class men who had murdered a child, the variation in their views and expression of masculinity were not connected to their social class status. (Alder & Polk, 1996). Adding further complexity, individual men seemed to have contradictory aspects to their masculinity. For example, they simultaneously valued nurturing behavior toward children and the use of aggressive behavior to control them. Because there are

incongruous and multiple influences on people, it is important to consider self-definitions of identity in context.

Consistent with the idea that people are not necessarily motivated to break the law in order to fulfill their gender identities, Maher (1997) concluded that for women involved in sex work in a severely disadvantaged neighborhood, there were no instances in her study where “crimes by women could be interpreted as a way of separating from all that is masculine” (p. 119) in the way that males break the law to separate from notions of femininity, and in so doing to reaffirm their masculinity. One woman gave an example of the thinking behind women’s emphasis on sex work and other hustles that were different from methods that males used for making money:

[Could girls get a hold of like guns and go in and rob stores or people—do they do that?] They could do it but it’s not done, right? It’s not Hollywood. This is the real deal out there. . . . See what I’m sayin’? So they (girls) work their con—go for their own kind of bullshit. (Maher, 1997, p. 119)

As a result of the distribution of power, the threat that men would react violently to women who intruded on their money-making schemes, and the resulting divisions of labor within the neighborhood, only some forms of illegal activity were available to women. The women committed crimes not to enhance their femininity, but to get money in settings characterized by gender divisions in work.

For people involved in prostitution, specific sexual acts are not usually a way to accomplish some form of gender identity. If they are forced by other people or by a desperate need for money, both children and adults who work as prostitutes may see their actions as contradicting their identity. Boys who trade sex for money do not typically use this experience as a resource for establishing themselves as masculine (Schifter & Aggleton, 1999). Individuals manage their gender identity more or less successfully within the constraints of broader societal and market forces, but by no means is all behavior a way of accomplishing that identity. In some cases, they can accomplish their identity as a girl or woman, or a boy or man, by breaking the law, but in many cases they accomplish this identity in spite of breaking the law.

Biological Explanations for Females’ and Males’ Illegal Behavior

A key tenet of modern biological theories to explain human behavior is that biological tendencies may or may not result in specific behaviors, depending on the environment and on social learning that occurs in that environment, including the family, school, and peer groups (Fishbein, 2001).⁴⁶ Typically, males have higher levels of testosterone than do females, but there is variation in both groups, and thus some females may have higher concentrations than do some males. For males, there is increasing evidence that testosterone concentrations correlate with violent behavior in both female and male populations (Banks & Dabbs, 1996; Dabbs & Hargrove, 1997). The direction of causation, or whether there is cause and effect in both directions between aggression and testosterone, is unclear; aggressive

behavior can result in increases in testosterone (Mazur & Booth, 1998). Thus, heightened levels of testosterone might result from aggression or might cause aggression, or the causation could be in both directions. For females, there is some evidence that prenatal and early postnatal exposures and events that interfere with sex hormones are characteristic of those who exhibit higher levels of aggression than do other women (Banks & Dabbs, 1996; Berenbaum & Resnick, 1997; Dabbs & Hargrove, 1997; Dabbs, Ruback, Frady, Hopper, & Sgoutas, 1988). The biological explanation has provided some understanding of why some males are more violent than other males, and why some females are more violent than are other females. However, it is not clear how important hormones are relative to other influences, including gender as conceptualized at different levels, in influencing violence.

Some research has suggested that males more often have predisposing traits that lead them to be involved in antisocial behavior as young children (Moffitt, Caspi, Rutter, & Silva, 2001). For example, boys more often exhibit negative emotions, such as worrying and being nervous, as children (Moffitt et al., 2001). This can limit their capacity to build personal resources by relating positively to other people (Harker & Keltner, 2001). Boys also are lower than girls in constraint, which is characterized by traits such as being disciplined and responsible. Boys also are more at risk than are girls for attention deficit-hyperactivity disorder, which makes it difficult for them to concentrate on and understand written and verbal communication. All these tendencies are related to antisocial behaviors in children, and childhood antisocial behavior is connected to illegal activity during adolescence and adulthood.

The interpretation of the effects of inborn tendencies must be done very carefully. It is widely recognized that the family and the larger social context can modify various tendencies, and that individuals also have some control over their own development and formation of identity. Females with the same biological and personality traits that predict boys' antisocial and illegal behavior are less often delinquent than are males with the same risk factors. The different experiences of girls' growing up, many of which have been reviewed in this chapter, likely have a powerful effect in moderating the influences of biology. These experiences are malleable and depend on the family, community, and broader social support context. Although the emerging research on the biological bases of antisocial and illegal behavior provides some information on why boys might be more delinquent than girls, predispositions are only a small part of the explanation.

Offenders Exercising Agency in Choosing to Break the Law

For some types of illegal activity, it is quite clear that although there may be constraints, people do make their own choices to break the law. This is most obvious when a person commits an economically motivated offense. For some sorts of illegal activity, it is less clear whether people are exercising agency. In particular, scholars, social critics, and people who make money by "selling sex" debate about whether individuals who work as prostitutes can be viewed as exercising agency.

There is no question that people who are forced or tricked into prostitution are not exercising agency. Moreover, a case could be made that if prostitution is the only means for financial survival, or if drug addiction is promoting an uncontrollable need for money or the drugs themselves, people involved in prostitution have little agency. A multicountry survey of prostitutes provided evidence that the job was not an acceptable, let alone an attractive, career choice for many people. Most of the people who were interviewed wanted to leave prostitution (92%), but they lacked asylum (73%), job training (70%), and health care (59%) that would make leaving possible (Farley, Baral, et al., 1998, p. 420). Consistent with the picture of prostitution work as dangerous and unpleasant, and not very profitable, Maher (1997, p. 159) described the effects of crack cocaine on sex work. In a neighborhood where many addicted women would sell sex for very little money, the result was cheaper “rougher” dates. Women had little power to select or negotiate with customers, and violence against the women was common, either when customers were dissatisfied or other people in the area stole from them. Prostitution may not be a true choice for a person who is addicted or in a place where alternatives for meeting basic needs are very limited.

Rejecting the no-choice perspective on prostitution, some people who earn money by prostituting call themselves sex workers and say that prostitution is a job like any other (Zatz, 1997). They feel they have considerable agency, and they protest against criminalization and regulation that limit their choices. Most contemporary social scientists have come to the conclusion that despite constraints of the historical moment, social structure, personal limitations, and culture, there are some individuals who break the law and who chart their own course in life. Their actions are influenced by how they see things, their own drive, and the resources they use. Some prostituting people who select their customers and their sexual activities and who control the environment where they work have more choice in what they do than many people who work in the legitimate economy (Kahn, 1999, p. 196). People who have alternatives but still engage in prostitution are best described by the term *sex worker* because they are often in a position to leave their job. Lorraine’s interview with Magda, who supported herself through prostitution, revealed that, within constraints, some people do opt for making money through prostitution, and they exercise some control in interactions with customers:

Magda: Sometimes they [customers] become vulgar, but I throw them out with their clothes and tell them they can call the police if they want to but nobody is going to force me to be with you. Not only that, I have already taken my pants off, and they are paying to look at me.

Lorraine: Do you only work on this street or are there others?

Magda: I used to work on another street, but we had to leave the area because some of the women working there were crooks. The police raided the street looking for them. Since they all hid, the police took us in instead. That is why we left and came here. It is a lot closer to where we bring the men. (Nencel, 2001, p. 101)

However, for all but the most well-placed people engaged in prostitution, at the same time that they take steps to control their fate in their day-to-day interactions and activities, there are restrictions on their mobility, their space for maneuvering, and negotiating. The women who engaged in prostitution in a disadvantaged neighborhood in New York City in the 1990s could sometimes resist or avoid requests for disturbing sexual activity, and thus they could maintain their dignity and self-respect (Maher, 1997, p. 139). However, their physical appearance as physically sick and “strung out on drugs,” the domination by men over the more profitable ways of making money in the area, and their sense that there was no place else to go kept limited their choices (Maher, 1997, p. 139). The strong connection between poverty and work as a prostitute that exists for most people translates into threats of death, sickness, and danger on almost a daily basis at the same time that they struggled to survive within a changeable and insecure economic situation (Nencel, 2001, p. 215).

In the United States and in other countries, about half of women involved in prostitution have tried to leave work involving sex for money, some repeatedly (Raymond & Hughes, 2001, p. 12). However, these efforts often are unsuccessful. Responding to a survey, 27% of international women and 52% of women in the United States indicated that they could not leave prostitution because of “economic necessity, drug dependencies and pimps who beat, kidnapped, and/or threatened them or their children prevented them from leaving” (Raymond & Hughes, 2001, p. 12). In studies of multiple countries, the majority of people who sold sex for money did not feel that prostitution should be legalized, and they would not recommend it to other women as a way to earn money. They usually saw prostitution as the final option. The majority of people involved in prostitution do not see themselves as having much, if any, choice, but instead their comments reflect the tremendous imbalances of their personal power and efficacy in relation to that of customers and controllers.

Individuals can become empowered to take group actions when they realize that their own emotional turmoil and suffering are not springing solely from within themselves, but that there are external influences that elicit the same responses from similarly situated people. People involved in prostitution, who often hold the statuses of victim and offender simultaneously, are often relieved when their emotional distress is labeled as PTSD (Farley, Baral, et al., 1998, p. 408). The diagnosis affirmed that the women were experiencing stress from material conditions rather than because of any personal deficits. At the least, this recognition provided the basis for some expectation of medical and psychological care and protection from violence, and at most, some change in the negative context. The recognition of the person-context-structure connection serves as a springboard for political and other social change-oriented strategies.

This chapter has recognized that individual who break the law do have varying degrees of agency. It also has emphasized the countervailing forces that limit this control. There are people who work in prostitution and other sex trade occupations (e.g., phone sex, pornography) who see themselves as having considerable choice. Some participate in efforts to educate the public and politicians about the sex

trades and themselves. Educational efforts and organized activities by sex workers also have concentrated on decriminalizing their work. The next chapter includes a section on how sex workers have exercised their agency in efforts to bring about social change by shaping the law and related reactions to people who do this sort of work.

Conclusion

Contemporary theory and related research have spotlighted the previously neglected influence of the feminization of poverty on the illegal activity of both women and their children. The influence results when women and children increasingly live in low-resource, crime-ridden neighborhoods, where there are limited opportunities for education and for legitimate jobs. At the same time that some women are isolated in poor neighborhoods where some of them turn to crime to earn money, other women move between countries to better their economic situations. For example, women become involved in smuggling or move to internationally recognized centers for prostitution, like Amsterdam. Poverty both keeps women and children entrapped in settings where illegal activity is a means to survive and get by and also motivates women to move to settings where they can or must earn money illegally.

Careful examination of women's own viewpoints and their activities reveals both the power of gender to shape their lives and women's capacity to fashion altered versions of femininity to fit their circumstances. Women do sometimes take major roles in drug markets, but research has revealed that at least some moments of women's doing their own "business" were responses to men's dominance, and in some cases were stopped by men's reassertion of their greater control of drug dealing as a way to make money. Apart from instances of women's being in control of some part of a drug market, generally girls and women have survived on the street by filling their own niches in illegal activities, and these activities were more risky and less profitable than those available to males. Reinforcing the importance of intersections, women in minority racial and ethnic groups had the most limited and risky illegal work opportunities available to them.

Recent theory has corrected prior inattention to key events and circumstances in girls' and women's lives that account for some of them becoming involved in illegal activity. Childhood abuse (including sexual abuse), victimization by an intimate partner, and the centrality of relationships with others are important influences on females' illegal activity. Similar to the recent exploration of men's pathways into and out of crime (Laub & Sampson, 2003), however, overall the pathways research on women shows tremendous diversity in how women and girls respond to adverse circumstances. The pathways research also shows the importance of family structures and racial and ethnic group-based networks as causes of illegal activity.

Although they have been useful "ideal types" for promoting thinking about how identity is connected to resources and opportunities in a particular context,

concepts like emphasized femininity and hegemonic masculinity are best considered to be heuristics. They help us to think about how people actualize gender identity in a particular context, with its constraints and its opportunities. They do not fully describe actual personal identities, but they lead to theory and research on how women and men think of themselves, and on what their identities have to do with whether they break the law. The literature has emphasized how males use several different kinds of criminal activity to be more masculine, and it has emphasized how females have a harder time using illegal activity to boost a positive sense of self as feminine. Among other things, parents and peers restrict girls from illegal involvement, and girls' and women's sense of responsibility for caring for their offspring often ameliorates inclinations to break the law. Theory reproduces social reality to some extent, in that even crime is less of a resource, or is a more problematic resource, for women and girls than it is for men and boys. The solution is, of course, not to open up the opportunities for crime, but to reduce the need for turning to crime for money or a positive identity.

The structural, intermediate, and identity theories fit together to some degree. Gender inequality is relevant to explaining girls' and women's experiences at the macro level of influence, families and peer groups act in accord with gender ideologies that influence the amount and the nature of illegal behavior at the intermediate level, and gender identity has an influence at the individual level. Gender inequality also is relevant to boys growing up in communities where many families are supported only by women, and gendered family and peer group experiences affect the illegal behavior of males. Versions of masculinity have been identified as central influences on boys' delinquency and men's crime. Although gender is not always a salient influence on crime and delinquency, it can explain a considerable amount about why people do or do not break the law. Even though there is evidence of several levels of influence on illegal behavior, it is increasingly recognized that individuals do make choices, and that particular events at particular times can result in an individual's illegal behavior.

Key Terms

Conduct disorders	Hooks for change
Emphasized femininity	In the lifestyle
Everyday practices theory	Life course theory
Gender definitions theory	Oppositional femininity
Gender entrapment	Pathways theory
Feminization of poverty	Power control theory
Hegemonic masculinity	Self-medication

Review and Discussion

1. In light of life course and pathways theories that emphasize the many different routes that people take into a pattern of crime, what types of programs would a community need to prevent illegal behavior? Would the programs be different for females and males? How?
2. What are the assumptions about why people are not in the workforce that underlie current tendencies to limit welfare support? Are these assumptions consistent with, inconsistent with, or unrelated to research evidence about people who break the law?
3. Do you think that female offenders should be considered as victims too? Use research results in this chapter and from other sources to support your position.
4. How well has theory done in explaining why girls are less seriously delinquent than are boys, and why women are less often offenders than are men?
5. What are the different ways that gender influences girls and women who break the law?

Web Site to Explore

International Sex Worker Foundation for Art, Culture and Education is a site developed by sex workers. The site includes a special section for students who are writing papers on prostitution. www.iswface.org/

