

# Female Criminality in Bangladesh: Causes, Patterns and Preventive Measures

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## Abstract

Crime is an action that violates the laws of a country or region. A person who commits such an act is referred to as a criminal. The term female criminality refers to crimes that are exclusively committed by women. One of the most consistent findings in criminology is that women commit fewer crimes than men. However, female criminality is rising at an alarming rate in today's society. This study aims to assess the current state of female criminality and its changing patterns in Bangladesh and identify the underlying factors contributing to its rise, particularly the influence of the family environment. It employs an analytical methodology, utilizing data gathered from informal interviews with judicial officers, advocates, and police officers, as well as a review of relevant literature, laws, and case studies. Both primary sources, including legal documents and interviews, and secondary sources, including books and articles, have been used to enhance the analysis of female criminality in Bangladesh, with a major focus on Comilla. Finally, based on the themes and patterns identified in the study, it proposes effective strategies and measures to prevent female criminality.

**Keywords:** Crime, Female Criminality, Bangladesh

## 1. Introduction

Gender and crime share mutual relation. The term 'female criminality' is of recent development. Female criminality refers to crimes which are committed only by women. Few decades ago, it was supposed that crime is a male phenomenon and only men commit crimes. There was no focus on female criminality. But with time, female criminality increased at an alarming rate which cannot be ignored. It has affected the overall stability of the society at large. During the 1970's, Female criminality began to receive more attention. The Criminologists, psychologists, sociologists started their research to find out the causes of female criminality. Continuous gender discrimination between male and female, the institution of patriarchy, men's control over women, women victimization etc. are some of the common causes behind the increasing rate of female criminality.

In Bangladesh, the rate of female criminality is increasing day by day. The patterns of those crimes are different these days. The common types of female criminalities in Bangladesh are theft, cheating, prostitution, trafficking, hijacking etc. But, nowadays women are also being involved in murder and conspiracies which is very alarming. This study attempts to focus on the present scenario of Female criminality in Bangladesh along with the possible preventive measures.

## 2. Objectives of the Study

The main focus of this study is to critically analyze the reasons behind the upsurge of female criminality in Bangladesh. However, the specific objectives of this study are as follows-

1. To find out the causes behind the recent upsurge of female criminality.
2. To analyze how family environment is the biggest contributing factor of female criminality.
3. To evaluate the theoretical explanations of female criminality.
4. To explore the changing patterns of female criminality.
5. To suggest effective steps and measures in order to prevent female criminality in Bangladesh.

## 3. Methodology of the Study

This research will be analytical. The study will be based on the findings collected from informal interviews and reviews of relevant literature. Relevant books, laws, cases, opinions, primary and secondary sources of data, law reports and other forms of written materials would be used for legal analysis. The analytical method will be used to describe the problems and the causes behind those problems found in the study. For collecting data, the researcher has taken interviews of the concerned authorities namely, 10 judicial officers, 10 advocates and 5 police officers on this matter. Apart from this, physical visits of the courts will enrich the research as well. For strengthening the quality of the research, internet, national and international journals, newspapers, informal discussions etc. will also be considered for the study. Relevant statutes and reported and unreported cases will be analyzed in this legal study.

Both primary and secondary sources of data are used for this research. Primary sources of data of this study are relevant laws, rules, ordinances, case laws etc. Some primary data are collected from the Judges and advocates of the courts through interview. And the secondary sources of data of this study are books, published and unpublished thesis, articles, legal reports, newspapers, judicial decisions, internet sources etc.

The study area for this research encompasses Bangladesh, excluding the Hill Tracts of Bandarban, Rangamati, and Khagrachhari. Given that the researcher resides in Comilla, a significant portion of primary data has been collected from this region for the proposed study.

## 4. Female Criminality

The concept of female criminality gained attention very recently. It is a classification which is made from the perspective of gender. Earlier, women were considered as less competent and inferior compared to men. Most of the theories of criminology doesn't even consider women as separate being, rather considered men as the only being. As a result, most of the theories doesn't even cover the concept of female criminality. With the increasing rate of women's involvement in crime, this topic is being studied recently and new explanations of those age-old theories are emerging. As women are considered to be the mirror of the society, female criminality is being studied for understanding the causes behind this societal downfall and take some effective measures to make positive prevention. In criminological study, there are several different theories of female criminality. They include Biological theory, Strain theory, Labeling theory, Opportunity theory, Marginalization theory, Chivalry theory, Social control theory, Differential association theory.

### 4.1.1 Biological Theory or Masculinity Theory

#### Cesare Lombroso

Cesare Lombroso is the father of the Biological doctrine. In his book, he emphasized the physiological

and psychological determinants of female criminality rather than socializing factors or social-structural constraints [1].

From the biological perspective, crime is considered as a male phenomenon completely. Lombroso's argument rests on the fact that women who commits or gets involved in crimes are somehow dominated by the existing masculinity in them and their passive role is a hindrance to their complete evolvment as men.

### **Thomas**

Thomas redefined criminality from biological perspective by envisioning prior literature of Lombroso. According to his statements, poor women are more likely involved in criminal activities than middle class women already having an important social status. He stated, 'It is the lack of receiving and giving love that then causes women to commit criminal offences. Therefore, prostitution is the most common form of female offending and is a direct result of women looking for love and attention which they require but do not find by socially accepted means'[2].

### **Sigmund Freud**

Freud is of opinion that every human being possesses criminal nature since birth. A person can both inherit those nature and externally learn from others. Freud's explanation on female criminality is based on sexual neurosis. According to him, from childhood, women suffer from inferior complexity because of having inferior sexual organs. They thought it to be a punishment as it led them to play a passive role in family rather than being an achiever. As a result of envy, they developed a sense of revenge which ultimately paved the way to criminal behavior. Freud wrote:

'They (female) feel seriously wronged, often declare that they want to have something like it too and fall victim to envy for the penis, which will leave ineradicable traces on their development and the formation of their character and which will not be surmounted in even the most favorable cases without a severe expenditure of psychical energy...one cannot very well doubt the importance of envy for the penis. You may take it as an instance of male injustice if I assert that envy and jealousy play an ever greater part in the mental life of women than of men...' [3].

### **4.1.2 Strain Theory**

#### **Robert Merton**

This theory was first introduced by Robert Merton. He argued that when there remains a gap between the goals and current status of an individual, it pushes them to commit crimes for attaining success. He stated, 'It is when goals are pushed by a society but individuals are denied equal access to socially accepted means that strain occurs and can lead to five adaptive response: conformity, innovation, ritualism, retreatism and rebellion'[4].

#### **Albert K. Cohen**

Cohen first addressed the basic differences between male and female criminality. He argued that girls are brought up with an ambition of procuring a husband, where boys are brought up with various ambitions. Because of these differences, boys are treated as achievers and girls are considered as mere idle companions to boys or men. He stated that Women are focused on their relationships with men and it is

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[1] (Cesare Lombroso, 1897)

[2] (Thomas Hobbes, 1967)

[3] (Sigmund Freud, 1998)

[4] (Robert Merton, 1938)

these focuses that explain why ‘boys collect stamps, girls collect boys’ [5]. In absence of the same societal pressure as men, women offending or deviation differ from men.

#### **Agnew**

Agnew revised the strain theory of Merton’s, Cohen’s and other contemporary criminologists. He was of opinion that multiple negative emotions are actually result of strain such as anger, depression and fear, but that do not lead to criminal behavior. From gender perspective, he has been neutral. He addressed the issues with ‘he or she’ and ‘his or her’. He discussed three types of strain: the inability to achieve social goals, the removal of positive stimulus and the threat of negative stimuli. When there is lack of social control and there is a pressure to commit crime, then crime is likely to happen.

#### **Broidy**

After Agnew’s revised strain theory is published, question arose as to what leads women to commit crime and what can be valid explanations as to the different crime rate of men and women. Broidy is of opinion that Agnew’s revised strain theory can be applied even to female offenders. They also believe that the difference in crime rate is because men face more strain than women. Another available literature points out that while men react to stress with anger and hostility, women are more likely to become depressed or anxious[6].

#### **4.1.3 Labelling Theory**

##### **Howard Becker**

Howard Becker is famous for his concept of labeling with his work studying jazz musicians. According to his view, once a person is labelled, he joins such a labelled group which approves such labelled behavior. He focused on male jazz musicians more than female jazz musicians. He observed that female musicians are not treated as equal to their male inmates, rather they were treated as sexual objects.

##### **Harris**

Harris’s theory is not a revised version but it adds to the labelling theory as he looks at criminals through type-script. He viewed that women conform to their societal role more than men because men convince them to do so. He emphasized on female stereotypes as popularized by men for a means to control women in all aspects.

##### **Bernburg, Krohn & Rivera**

Bernburg, Krohn and Rivera’s study is a modern study using the labeling theory. They focused on how labeling affects both male and female deviants. It tests the older or original labeling theory. Their study suggests that men are more likely than females to be chronic offenders and to engage in serious delinquency [7]. They reached at a conclusion that females are less likely to engage in delinquency after being labeled.

#### **4.1.4 Opportunity Theory**

##### **Rita J. Simon**

This theory is developed by Rita J. Simon. She bypassed the biological theory and put emphasis on different dimensions that causes female criminality. She is of opinion that biological differences don’t lead to female criminality as there is no distinction of male and female in point of morality. Men having more competencies and opportunities than women are more active in criminal activities. If women get the same opportunities and networks as men, then female criminality rate will also increase. She argued, ‘when

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[5] (Albert K. Cohen, 1955)

[6] (Mirowsky, et al., 1989)

[7] (Blumstein, et al., 1986)

more women get access in labor market as skilled labor and possess highly specialized positions in the job sector they commit more employment related property crime than men. Some women take the advantage of these opportunities, just as some men did before' [8]. She also mentioned that if women gets opportunity to become economically independent, the rates of violent female offending will decrease, but the rates of property related female offending will increase.

### **Marginalization Theory**

Marginalization theory plays an important role in explaining the etiology of female criminality. According to this theory, the causes behind female criminality are mostly economy related; such as: inadequate payment at workplace or unemployment. This theory is also related to another two theories. Those are:

### **Marxist Theory**

According to Smith, 'In capitalist social structure, females commit crime as a result of their socialization process' [9]. Families with large number of children when fails to earn livelihood by honest means, the females commits crimes. This theory depicts that females get involved in crime for fulfilling their economic need.

### **Feminist Theory**

In our social context, most women face physical or sexual traumas in childhood. Feminist theory puts an emphasis on that factor and relates this to women's criminal behavior or female offending.

### **Chivalry Theory**

Taking history into consideration, the rates of female offending or female criminality has always been lower than men. Even the criminal justice systems also give less importance to female criminals than men. According to this theory, Female criminals are treated more leniently than men criminals. They are also said to possess less destructive nature than men.

## **4.1.6 Social Control Theory**

### **Hirschi**

This theory is gender-inclusive. It focuses on the reasons behind obeying laws rather than breaking laws. Hirschi suggests that, when people have high connections to their society, other people, and have strong morals and social bonds, they're more likely to conform to laws put in place [10]. Though this theory was gender-inclusive, its application was mostly male-centric and the female offenders were overlooked which results in negative depiction of women in criminological study as a whole.

### **Gottfredson**

This theory referred to as general theory as it puts emphasis on general theories of crime. According to him, people who don't have self-control are more likely to commit crimes. He stated, the difference in criminal statistics based on gender, race, age and class are due to how these characteristics interact with both social and self-control [11]. It is criticized for being vague in terms as general theory of crime doesn't extend to cover violence or oppression against women.

### **Hagan, Simpson & Gillis**

This theory is also called as power control theory. It states that there is a huge gender gap in criminal behavior in families where the mother has lower status than the father, than in families where both the father and mother have equal social status. As a result, in families of equal status, there is little difference

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[8] (Rita J. Simon, 1975)

[9] (Smith, 1980)

[10] (Hirschi, 1969)

[11] (Gottfredson, 1990)

between son and daughter’s behavioral patterns because of their upbringing and equal socialization process. The power control theory states, the power make-up between parents- being of equal status or one seen as lower than the other, typically the mother- has an impact on the subsequent delinquent behavior of girls [12].

#### 4.1.7 Differential Association Theory

This theory is developed by Edwin H. Sutherland in the 1930’s. It is based on social interactions between inmate groups. This theory puts emphasis on association, descriptively how frequent, intense and meaningful association can be. It states that criminal behavior can be learnt from others like anything else. That’s why association and communication is can teach an individual some techniques to commit crimes. He mentioned women as more law-abiding than men because they receive different training and education according to their capabilities and potentialities which causes their differential behavior.

### 5. Data Analysis and Findings

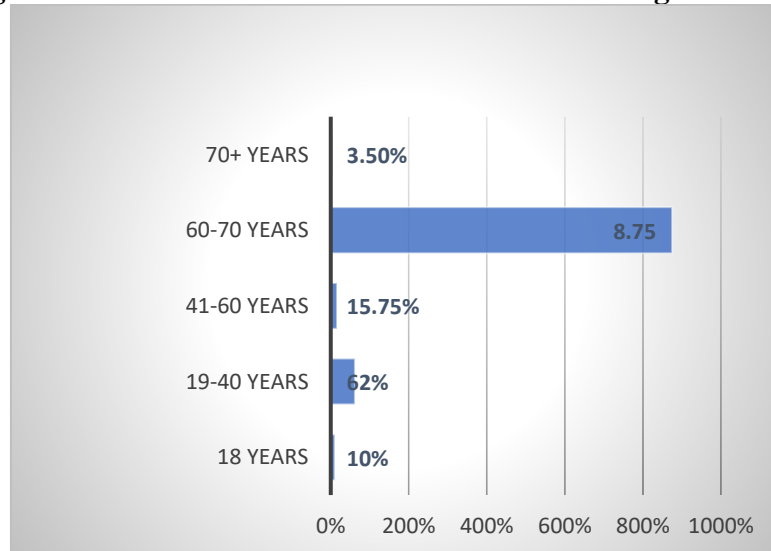
For collecting data, the researcher took interviews of the concerned authorities namely, 10 judicial officers, 10 advocates and 5 police officers on this matter. However, the findings of this research are as follows:

#### 5.1 About Age

In criminological study, the relationship between age and crime is considered very important. Brame and Piquero considered the association between age and involvement in criminal behavior as a ‘resilient empirical regularity in criminology’ [13].

Responses of the concerned judges, advocates and police officers when asked about the age limit of female criminals are given below in percentage:

**Figure 1: Involvement of women in crime according to their age**



#### 5.2 About Nature of Crime

After the change in Patterns of crimes committed by women, it is observed that female criminals nowadays are mostly involved in violent crimes which is very alarming for our society. Though they are involved in violent crimes like murder, none of them are punished with capital punishment yet. One of the respondents

[12] (Hagan et al., 1979)

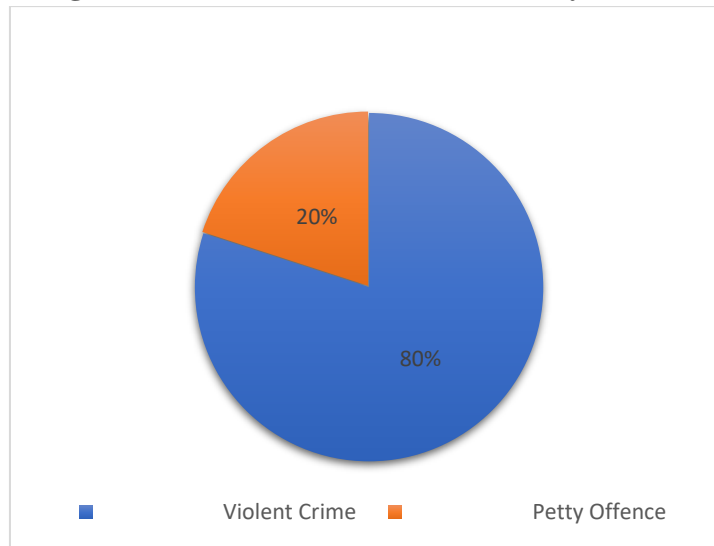
[13] (Brame et al., 2013)



who is a Judicial Magistrate asserted, ‘Women are committing very serious crimes nowadays even against women. They don’t even regret it.’

According to the information collected through interview, the nature of crime committed by women is given below in percentage:

**Figure 2: Nature of crime committed by females**



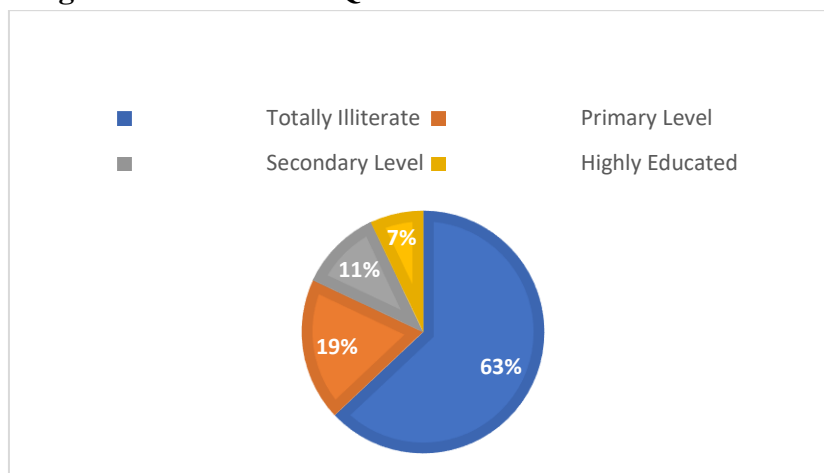
### 5.3 About Educational Qualification

It is observed that women who have little or no educational qualification are mostly involved in violent crimes for survival issue. Besides this, higher class women with good educational background and efficiency are also involved in violent crimes. They conspire and hire people to commit crime according to their order.

One Judicial Magistrate said during interview, ‘Adultery has become a burning issue in today’s Bangladesh. Higher class women are mostly being involved in crimes like murder because of this. Either infidelity of them or their husband is the reason behind this.’

When asked about the educational qualifications of female criminals handled by them, their responses were as follows:

**Figure 3: Educational Qualifications of Female Criminals**

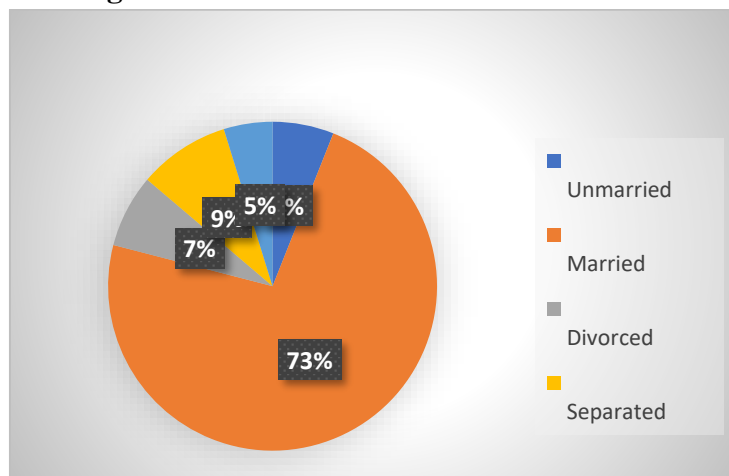


### 5.4 About Marital Status

Women face different kinds of deprivation in their conjugal life. Everyone has different stories of deprivation. Specially, women who belong to lower class of the society face the hardest reality. They're often abandoned by their husband with children without any kind of maintenance. Hunger makes them commit crimes for survival purpose. Those who are widowed and don't have enough educational qualifications, also face difficulties to earn livelihood. They also try to find easy ways of earning money and many of them gets involved in criminal activities.

According to the information collected through interviews, marital status of female criminals handled by them are as follows:

**Figure 4: Marital status of female criminals**



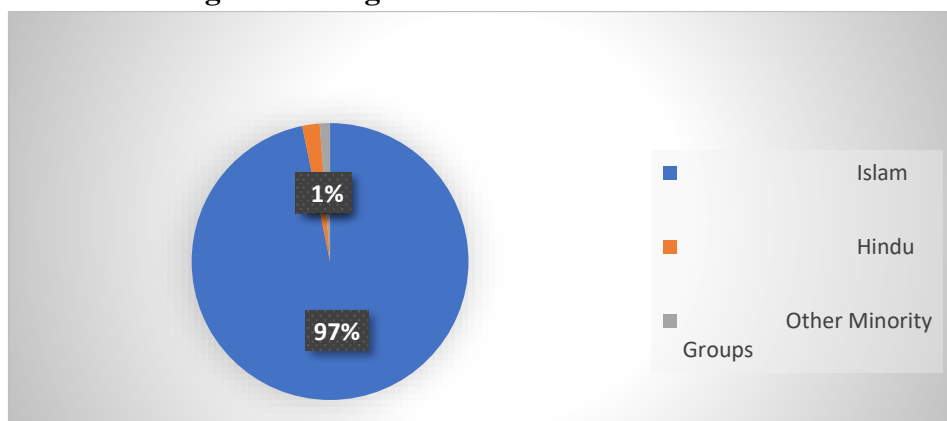
From the above discussion, it is clear that mostly married women are involved in criminal activities these days.

### 5.5 About Religion of Female Criminals

It is observed that, mostly Muslim Women are involved in criminal activities than any other minority group in Bangladesh. One police officer of Sadar Dakkhin Thana, Comilla Said, 'Muslim's are more involved in crime and other minority groups of the country are becoming victims of those crimes.'

According to the information gathered through interviews, the percentage is as follows:

**Figure 5: Religious status of female criminals**

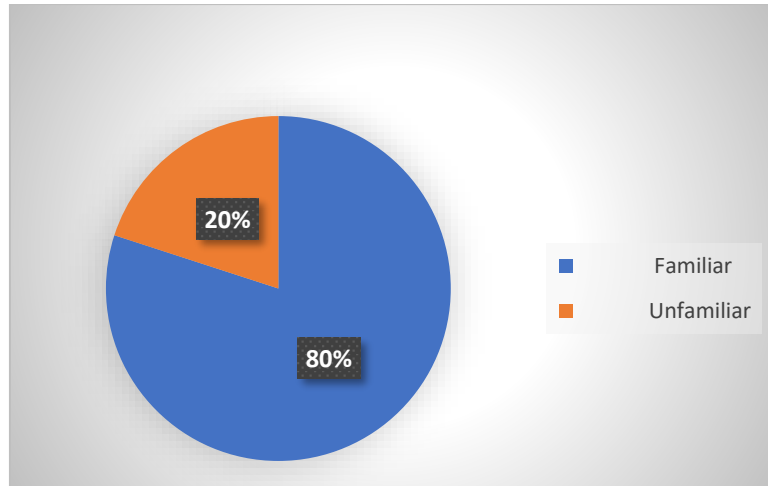




### 5.6 About Female Criminal’s Relationship with Victim

In criminological study, the relationship between offender and victim is of great importance. In most of the cases, it is seen that the female criminals are familiar with the victim. The Information gathered is given below:

**Figure 6: Female criminal's relationship with victims**



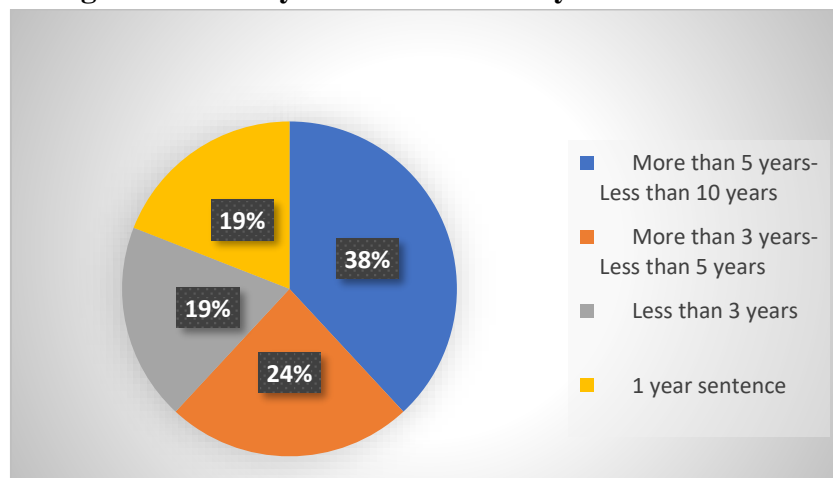
Familiar relations are mostly either husband or husband’s family members as per information received from the interviews of the concerned authorities.

### 5.7 About Criminal Justice System

#### 5.7.1 Regarding Laws

There’s a national law in Bangladesh entitled *The Special Privileges for Convicted Women Act, 2006*. The purpose of enacting this law was to facilitate rehabilitation of convicted women prisoners. In this Law, there is special provision of parole for a certain period for convicted female prisoners:

**Figure 7: Already served sentences by female criminals**



This national law provides for constitution of a several committee for recommending women offender’s on parole, for closely observing their behavior who have already been released on parole etc. Besides this,

International human rights law, International Humanitarian Law etc. are also relevant in cases of convicted women.

### **5.7.2 Regarding Prison System**

The prison system of our country is not maintained according to the international standards. Here, the needs of women are not prioritized. The jails are overcrowded and mostly designed for men prisoners. Women prisoners are not provided enough attention. In 2006, the Ministerial Committee on Jail Reform recommended for a separate jail for female prisoners. After that, a new jail for convicted women prisoners has been made in Kashimpur. Though it is not enough, it can be considered as huge step toward the development process of jail reform.

## **6. Causes and Changing Patterns of Female Criminality**

In Bangladesh, generally, socio-economic factors, family issues, educational factors are responsible for the increase of female criminality. Besides this, there are also some other causes behind the upsurge of female criminality in Bangladesh. They are discussed below:

### **6.1 Family Issues**

Family issues such as divorce between parents, separation, and criminality of any family member causes shape the mindset of the children of that family really bad. They grow up without confidence. In absence of parental care and attention, most of the children of broken families suffer from inferior complexity and depression and tend to develop criminality in themselves from an early age. They suffer from a psychological crisis as their needs are not met. On the other hand, Women after divorce try to survive and that's a real battle. They face so many difficulties that many of them derails from the concept of good or bad. In Bangladesh, domestic violence has been a main reason behind the increasing rate of female criminality. Till now, women have an inferior position to men in the family. They are not allowed to give opinion on important family matters. They often are subjected to husband's beatings. Continuous deprivation of their rights and unrestricted violence triggers them to make an extreme move. A survey shows that, before committing any crime, 80% of female offenders suffered continuous domestic violence.

### **6.2 Lack of Education**

Most of the female offenders in Bangladesh are illiterate or have very little education. They lack survival skills. They are easy to be deceived by others which is really pathetic. Without even knowing about the consequences, they get involved in crimes. They are unable to deal with problems in an effective manner. They don't have any legal knowledge. Despite being victims, they don't know where to go and what to do for justice which shows their weak side. When they face violence, they try to protect themselves with violence. As a result, they fall prey to serious crime. According to Chesney-Lind and Pasko, girls and women's crime is deeply affected by women's place in society. They are of opinion that women who offend are marginalized and poor, having had little opportunity for formal education and/or the development of job skills [14].

### **6.3 Socio-economic Factors**

Socio-economic factors work as variable behind the upsurge of female criminality. Poverty and unemployment are very common issues. When the basic needs are not fulfilled, women find alternative ways to meet them and easily gets involved in criminal activities. Besides this, in today's world, moral values have disintegrated in such a way that adultery and illegal cohabitation has become very common.

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[14] (Chesney-Lind, 2004)

A desire for luxurious life increased among the women which is pushing them towards the wrong and they are easily getting carried away. Moreover, junk cultures influenced lower class women to achieve the luxurious life by wrongdoing. Not only poor women, but also women who belong to high society are also being involved in crimes because they want more. Prostitution has also increased at an alarming rate. This is very disturbing for our society.

#### **6.4 Cultural Difference**

In the context of Bangladesh, women are brought up in a whole different way than men. They are taught to be polite and patient. Even when their rights are infringed, they are told to stay quiet. They are mostly dominated by male from an early age. They receive repressive education from family which makes them weak headed human being. They are treated in a discriminative manner which triggers them. It is none other than family who creates these unfair cultures for women. Because of this, most of the recently conducted studies focus on the families of female criminals.

#### **6.5 Changing Patterns of Female Criminality**

Historically, women were primarily involved in less serious crimes compared to men, such as kidnapping, trafficking, property-related offenses like theft and misappropriation, organized crime, and victimless crimes. However, recent trends indicate that women are increasingly participating in more serious offenses, reflecting a broader range of criminal activities. These include murder, attempted murder, adultery, abduction, drug trafficking, robbery, assault, illegal arms trafficking, forgery, terrorism, smuggling, corruption, and cybercrime. This shift highlights the evolving nature of female criminality and the need for a deeper understanding of its underlying causes.

### **7. Recommendations**

The Constitution of the People's Republic of Bangladesh guaranteed equal rights for all citizens. According to Article 28 of the Constitution of Bangladesh, All the citizens must be treated equally regardless of their sex, religion, race or other factors. It also declares that women must have equal rights to men. According to Article 19, the State shall endeavor to achieve equality of opportunity and involvement of women in all spheres of national life. The major recommendations of this research are as follows:

1. The Govt. need to ensure that girls are not married early, even in villages. Girls need to be financially independent before entering into their life. This can be a huge step for curtailing down the rates of female criminality in Bangladesh.
2. Govt. is suggested to ensure employment for all the citizens as it can be a solution to the problem of female criminality.
3. Community-based programs can be introduced more in Bangladesh for women offenders as an alternative to imprisonment.
4. When the basic needs of food, clothing, housing, education, medical treatment are not ensured properly, women are involving in crimes for their survival. The Gov't need to ensure these fundamental rights of all the citizens.
5. In Bangladesh, huge number of laws are in effect since the British period. Keeping female criminality in mind, new laws should be enacted for the purpose of controlling this issue.
6. Diversion programs can be arranged for female criminals so that their rehabilitation and treatment can bring changes in their criminal behavior or criminal tendency.

7. The police department need to be re-organized. Number of police personnel need to be increased. More logistics support should be ensured. If this department works properly and without any corruption, crimes committed by women can easily be controlled.
8. Big population is a huge problem for Bangladesh. Many criminologists of different views have agreed on a point. That is to say, in societies, where women are less in number, women are respected more. Women victimization and female criminality rate is also low. This is why, the rate of population growth needs to be decreased.
9. Be it for boys or girls, parental care and supervision is a must. Lack of parental attention and supervision is pushing young girls towards criminal activities.
10. Effective Training programs such as vocational training can help female criminals equip themselves with the skills they need to secure employment after release.
11. Social and legal awareness need to be increased in the context of Bangladesh, as most women from the remote area still doesn't know about their legal rights and punishment for violating laws.
12. As adultery has become a devastating cause behind the upsurge of female criminality, the provision of the Penal Code, 1860 regarding adultery need to be updated from time to time.
13. Effective legal mechanism including Gov't policy as to various matters of concern should be adopted with the aim of decreasing female criminality rate in Bangladesh.
14. Conditions of the prisons should be made gender-sensitive for female criminals with a view to reducing their likelihood of reoffending within the prison.

## **8. Conclusion**

In the Context of Bangladesh, the Economic-Marginalization theory by Chesney-Lind seems to be more appropriate than any other theoretical explanation of criminology. Police and judiciary is working hand in hand to suppress this crime as far as possible, but it is yet to be done in an effective manner fully as there still are a lot of obstacles. However, these changes cannot be done overnight but not impossible to overcome. If the recommendations suggested in this research are properly studied with the findings and implemented, it is hoped that the problem of female criminality can be solved in no time.