Female Criminals of Pakistan: Personal and Socio-demographic Profiles

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Abstract - Pakistan is the male-dominated society. In such a scenario of ‘subjugation’, we find females involved in crimes. This exploratory study was conducted in Women’s prisons of Sindh province of Pakistan. It was a ‘census’ population of 100 respondents. Findings showed inmates were involved in six types of crimes i.e. Drug Trafficking (26), Murder of Husband (25), Kidnapping (23), Murder (18), Robbery/Theft (5), Child Trafficking (2) and Extra-marital relationships (1). Marxist-Feminist criminologists mention poverty and patriarchal society as etiology of the causation of female crime; findings support this theory. Out of 100 respondents, 72 were illiterates; 76 belonged to very poor and poor families. Husbands of only 17 inmates had jobs, 5 were old/ill/begging, 11 were doing nothing/gambling, while remaining 57 were farmers / laborers. Only 5 inmates were treated normally while husbands of 36 inmates had bad and violent behavior. Husbands of 42 inmates were 10-20 years older than them. Thirty out of 100 women inmates had male co-accused; almost half of them were male family members.
INTRODUCTION

Pakistan and its Prison systems

In 1947 British India was partitioned along religious lines to create two independent nations: India and Pakistan. Pakistan has four provinces: Punjab, Sindh, Baluchistan and Pakhtunkhuwa. Pakistan occupies a strategic crossroads in South Asia, bordering Afghanistan, and Iran to west, China to north and India to east. Modern Pakistan has a population of approximately 180 million of which over 95% are Muslims (John Esposito, 1986). Pakistan has 82 prisons. There are 22 prisons in Sindh province, out of which 4 are the women prisons at Karachi, Hyderabad, Larkana and Sukkur districts.

Status of Women in Pakistan

Pakistani society is characterized by considerable economic disparities between different sections of the society, as well as divisions of caste, tribe, clan and class. It is dominated by a feudal and tribal value system, with strong patriarchal trends. All these factors have affected the status and rights of women at every level and in all sectors, and have negatively impacted their real participation in the process of decision-making (www.capwip.org/readingroom/pakistan).

A 1985 report by the Pakistan Commission on the Status of Women, whose findings were suppressed by General Zia’s administration, concluded that ‘...women in Pakistan are treated as possessions rather than self-reliant, self-regulating humans. They are bought, sold, beaten, mutilated and even killed with impunity and social approval...the average rural woman of Pakistan is born in near slavery, leads a life of drudgery and dies invariably in oblivion.’ (Status of Women, 1986).

Women Prisoners in Pakistan

A 1980 study of criminal justice in Pakistan documented only some 70 female convicts in the entire country (Ch. Auolakh, 1986). By 1987, the number had increased to 125 female convicts in the province of Punjab alone (Asma Jahangir 1990), and an estimated 91 in the province of Sindh (SabihaSumar 1988). According to some of the police records for 1983, in all provinces of Pakistan, a minimum of 1,682 women faced trial for offences solely under the Hudood Ordinances. That number increased to 1,843 in 1984 and continued to rise in subsequent years. Sociologists KhawarMumtaz and
Farida Shaheed estimated that there were a total of 4,500 women prisoners in the entire country (Khawar Mumtaz, 1989).

Eighty percent of all the female prisoners in Pakistan were illiterate and nearly 90% lived on a monthly family income of less than US$40. The vast majority were poor and illiterate. A 1987 study in women prison Multan, Punjab province concluded that majority was from rural areas, 69% lacked any formal education, 26% could only read Quran, and only a small proportion had some formal education. Seventy one percent (71%) of female prisoners came from Pakistan’s lowest income bracket (Lubna Shah, 1987).

According to a survey conducted in 1988, over 90% of the 90 women prisoners interviewed in two prisons of Punjab province were unaware of the law under which they had been imprisoned. Over 60% had received no legal assistance whatsoever (Asma Jahangir, 1990). The study also found that women were most frequently detained for spousal murder or offences under the Hudood Ordinances. Other offences included theft, alcohol abuse, and possession of drugs or illegal arms. In late 1991, of over 30 convicted women prisoners in Multan prison, half were convicted for murder and sentenced to death. Nine of them had been charged with killing their husbands (Human Rights Watch, 1992). The population of Women Prisoners, as of January 2010, is shown below in Table 1.4.

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Name of the Prison</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Women’s Prison Karachi</td>
<td>93</td>
</tr>
<tr>
<td>2</td>
<td>Women’s Prison Hyderabad</td>
<td>32</td>
</tr>
<tr>
<td>3</td>
<td>Women’s Prison Larkana</td>
<td>16</td>
</tr>
<tr>
<td>4</td>
<td>Women’s Ward at Central Prison Sukkur for Men</td>
<td>15</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>156</strong></td>
</tr>
</tbody>
</table>

**Table 1.4 Women prisoners in Sindh Province (As on January 2010)**

**Gender and Crime: Key concepts**

**Gender**

Gender refers to those behaviors which define individuals as male or female in particular social and cultural contexts (John Scott, 2009). It refers to the differences between men and women’s roles and responsibilities.
that are socially constructed, changeable over time, and that have wide variations within and among cultures (The Southeast Asian Consortium on Gender, Sexuality and Health, 2007). Gender refers to ‘differences in the way that men and women in a particular society are expected to feel, think, and behave’ (James Fulcher, 2007).

Feminist sociologists, focus on gender / sexual divisions and the inequalities in access to power and resources which underpin them. Gender, therefore, is seen as social inequality which can be explained in terms of capitalism and/or patriarchy. Patriarchy, interacting with capitalism, gave advantage to men and disadvantaged women.

**Patriarchy**

Patriarchy is a social system of gender relations in which there is gender inequality (John Scott, 2009). Patriarchy exists in interconnection with other systems of social relations, such as capitalism and systems of ethnic relations. These interactions change the nature of gender relations within the system of patriarchy (John Scott, 2009).

**Poverty**

Poverty can be defined in a range of different ways: as lack of resources (income) available to purchase necessities or to achieve an acceptable standard of living; through actual levels of expenditure; as deprivation indicated by the lack of essentials; as a lack of the capability to achieve a particular standard of living, whether or not that standard of living is achieved; or as an inability to participate in the activities of everyday life (John Scott, 2009).

**Classes, Capitalism and State**

The claim of Karl Marx and Fredrick Engels that ‘The history of all hitherto existing society is the history of class struggles’ provides the basic starting point for class analysis. Marx’s view was that the basic classes in a society were defined by the possession or non-possession of the means of production. Class relations, therefore, are the relations of property and employment (John Scott, 2009). The term capitalism denotes an economic system in which goods are produced for profit and sold in a free market (Steve Bruce and Steven Yearley, 2006).
Capitalism is a system of economy, and form of society, characterized by generalized commodity production, in which all economic relations are monetised, and the boundary of the economic itself expands to include all aspects of life (John Scott, 2009). To Marx state was an instrument of the ruling class: ‘the executive of the modern state is but a committee for managing the affairs of the whole bourgeoisie’ (Communist Manifesto, 1848).

**Feminism**

A diverse set of feminist social theories are united by a common commitment to the aims of the women’s movement and liberation from male dominated social structures and practices. Current strands of feminist social theory have their roots in second-wave feminism of the 1960s and 1970s. Pioneering work by Kate Millett, Betty Friedan and Shulamith Firestone was taken up in liberal and radical versions of feminism and also in the form of socialist or Marxist feminism.

These theorists explored the ways in which women were subordinated by male power-through structures of patriarchy-in such areas as reproductive technology, socialization, family relations, domestic violence, employment practices, and cultural representations. Established social theory was criticized for its ‘malestream’ characteristics (John Scott, 2009).

**Crime**

Crime is that ‘form of deviance that involves and infarction of the criminal law’ (James Fulcher, 2007). Hence although many criminologists regard crime as one among several forms of deviance, but there are conflicting theories about its etiology. Some consider crime a type of anomic behavior; others characterize it as a more conscious response to social conditions, to stress, and to the breakdown in law enforcement or social order.

**Murder**

Murder is the unlawful and malicious or premeditated killing of one human being by another. By legal definition, a murder is a homicide (the killing of one human being by another) that is committed intentionally, or with malice aforethought. All legal codes classify it as a crime; where the element of intent exists (http://www.answers.com/topic/murder).
Kidnapping

Crime of seizing, confining, abducting, or carrying away a person by force or fraud, often to subject him or her to involuntary servitude, in an attempt to demand a ransom, or in furtherance of another crime (http://www.answers.com/topic/kidnapping-legal-term). Kidnapping, in law, is the taking away of a person by force, threat, or deceit, with intent to cause him to be detained against his will.

Drug Trafficking

Drug trafficking, the selling and/or delivering of drugs is a crucial part of drug trade. “It encompasses the cultivation, manufacture, and distribution of illegal drugs” (http://ucl.broward.edu/pathfinders/Drug-Trafficking). Individuals, especially from those ‘vulnerable’ populations, such as women or adolescents are often solicited to transport illegal drugs. Regarding the individuals soliciting the drugs, they are hidden in baggage or personal belongings, hidden in a person, or swallowed or stuffed into body cavities (Ellen Louise & Eva Vale, 2004).

Pre/Extra Marital Sex

Although the legal definition of “adultery” differs in nearly every legal system, the common theme is sexual relations outside of marriage, in one form or another. Under Muslim law, adultery is sexual intercourse by a married person (whether man or woman) with someone to whom they are not married. Adultery is a violation of the marital contract and one of the major sins. Qur’an verse prohibiting adultery says:

“Do not go near to adultery. Surely it is a shameful deed and evil, opening roads (to other evils)” (Quran 17:32).

Prisons

Prison is the generic term for all institutions and many devices that hold captives. Historically, the words correctional facility, and penitentiary have been /are used for prison; as the words inmate and resident are used for the prisoner(Norval Morris & David J. Rothman, 1998). Incarceration in a prison eventually became the normal method of punishment for almost all offences, and the prison a characteristic organization of modern society (James Fulcher& John Scott, 2007).
Pakistan Penal Code and Pakistan Prison Rules

Pakistan Penal Code or PPC is the basis of all legislations in Pakistan. It was instituted in 1860 by the British colonial government. The Penal Code has been amended several times since the independence of Pakistan. Known as the Pakistan Prison Rules, the manual grew out of the federal government’s Jail Reforms Conference of 1972. In many respects the Rules reflect the colonial-era. In 1997, the Pakistan Law Commission—a statutory body chaired by the Chief Justice of Pakistan issued a report on jail reform and proposals to amend both the Rules and existing legislation. The commission’s recommendations, however, have gone largely unimplemented.

Hudood Laws

The Hudood Ordinance was a law in Pakistan that was enacted in 1979 as part of the then military ruler General Zia-ul-Haq’s Islamization process, and replaced/revised in 2006 by the Bill. The Hudood Law was ostensibly intended to implement Islamic Shari’a law. The Hudood Ordinances account for much of the increase in the women’s prison population since the early 1980s (Lippman, McConville, and Yerushalmi 1988).

Gender and Crime: Theories of Crime

Classical Theory

Its origin was around 1764. Its founders were Cesare Beccaria and Jeremy Bentham. Core ideas according to this theory are that people choose to commit crime after weighing the benefits and costs of their actions. Crime can be deterred by certain, severe, and swift punishment. Few of its modern outgrowths are Rational Choice Theory, General Deterrence (Larry L. Siegel, 2007).

Positivist Theory

Its origin was about 1810. Franz Joseph Gall, J.K. Lavater, Cesare Lombroso, and Enrico Ferri, were few of its proponents. This theory postulated that some people have biological and mental traits that make them crime prone. These traits are inherited and are present at birth. Mental and physical degeneracies are the cause of the crime. Few of its modern outgrowths are Biosocial and Psychological Theory, Evolutionary Theory and Arousal Theory (Larry J. Siegel, 2010).
Conflict / Marxist theory

Its origin was about 1848 and Karl Marx, Willem Bonger, Ralf Dahrendorf and George Vold were among the proponents of this theory. According to this theory, crime is a function of class struggle. The capitalist system’s emphasis on competition and wealth produces an economic and social environment in which crime is inevitable. Few of its modern outgrowths are Conflict Theory, Radical Feminist Theory, Left Realism, Power-Control Theory (Larry J. Siegel, 2010).

Income inequality is one of the main sources of social conflict that wracks contemporary society and is a breeding ground for crime. Conflicts promote crime by creating a social atmosphere in which the law is a mechanism for controlling dissatisfied, have-not members of society while the wealthy maintain their power (Larry J. Siegel, 2010-p-246).

Marx wrote: “There must be something rotten in the very core of a social system which increases in wealth without diminishing its misery and increase in crime even more rapidly than in numbers” (Karl Marx, 1859). Friedrich Engels in his The Condition of the Working Class in England in 1844, and elsewhere portrayed crime as a function of social demoralization, where workers, demoralized by the capitalist society, are caught up in a process that leads to crime and violence. According to him, workers are social outcasts, ignored by the structure of the capitalist society and treated as brutes (cited in Lynch, 1994).

Feminist Theory

“One is not born a woman, but becomes one”, the often quoted words of Simone de Beauvoir in her book The Second Sex (1949), gave her recognition as a well-know feminist. Rebecca West in 1913 had remarked sardonically, “I myself have never been able to find what feminism is; I only know that people call me a feminist whenever I express sentiments that differentiate me from a doormat or prostitute.” (Rebecca West).

Feminists view gender inequality as stemming from the unequal power of men and women in a capitalist society. Under this system, women are considered a commodity worth possessing, like land or money (Herman Schwendinger and Julia Schwendinger, 1983).

Male dominance is one of the earliest known and most widely spread forms of inequality in human history (Stephanie Coontz, 1986). Women everywhere lost out with the polarization of society into classes and the rise
of the state. There was shift in their status, described by Frederick Engels as ‘the world historic defeat of the female sex’. The change was rooted in the new relations that grew up between people with the production of a surplus (Chris Harman, 2008).

The origin of gender differences can be traced to the development of the private property and male domination of the laws of inheritance, which led to male control over property and power (Daly and Chesney-Land, 1988). A patriarchal system developed in which man’s work was valued and women’s work was devalued and derisively called as ‘domestic work’ as capitalism prevailed (Janet Saltzman Chafetz, 1997). Patriarchy, or male supremacy, has been and continues to be supported by capitalists. This system sustains female oppression at home and in the workplace (Janet Saltzman Chafetz, 1997).

In *Capitalism, Patriarchy, and Crime*, James Messerschmidt reasons that capitalist society is marked by both patriarchy and class conflict. Capitalists control the labor of workers, and men control women, both economically and biologically (James Messerschmidt, 1986). Men need to defend themselves at all costs from being contaminated with femininity (Angela P. Harris, 2000).

Critical feminists also focus on the social forces that shape women’s lives and experiences to explain female criminality (Suzie and Nancy, 1990). They attempt to show how the sexual victimization of girls is a function of male socialization because so many young males learn to be aggressive and to exploit women (Walter DeKeserdy and Martin Schwartz, 1993). Critical Feminist theorists emphasize that exploitation triggers the onset of female delinquent and deviant behavior. Their attempts at survival are labeled as deviant or delinquent behavior (Drew and Susan, 1990). When the exploited girl finds herself in the arms of the justice system her problems may just be beginning. They are considered as threat to acceptable images of femininity; their behavior is considered even more unusual and dangerous than male delinquency (Kejrsti and Nina, 2006).

**Sociological Theory**

This had its origin in 1897 and the founders were Emile Durkheim, Robert Ezra Park, Clifford Shaw and others. This theory states that a person’s place in the social structure determines his or her behavior. Disorganized urban areas are the breeding ground of crime. A lack of legitimate opportunities produces criminal subcultures. Few of its modern outgrowths are Strain
Theory, Cultural Deviance Theory, Social Learning Theory, Labeling (Larry J. Siegel, 2010).

**Multifactor Theory**

This theory originated about 1930 and the founders were Sheldon and Eleanor Glueck. The theory sees crime as a function of environmental, socialization, physical and psychological factors. Each makes an independent contribution to shaping and directing behavior patterns. Deficits in these areas of human development increase the risk of crime. People at risk for crime can resist anti-social behaviors if these traits and conditions can be strengthened. The modern outgrowths of theory are Life Course Theory, and Latent Trait Theory.

**MATERIALS AND METHODS**

This study is an exploratory study regarding the aspects of and factors for female crime in Sindh, Pakistan. The study was conducted in the Women’s Prisons of Sindh province of Pakistan with ‘census’ population with the objective of exploring dimensions of crime: personal, socio-economic and demographic details of women prisoners.

**Inclusion Criterion**
1. All the eligible and willing inmates of the prison present in the premises, irrespective of their age, nature of crime, and status (under trial or convicted).

**Exclusion Criterion**
1. All those prisoners not present in the premises at the time and date of data collection, due to any reason.

**Data collection**
Data collection tools comprised of a semi structured questionnaire which was field tested. Data was collected through year 2010. Female enumerators were recruited to collect data.

**Data Analysis**
Data was coded and entered in the computer and analyzed on the SPSS
software to draw the results for simple frequencies and cross tab. Being ‘census’ population, no detailed statistical test was performed.

**Ethical Considerations**
- The questionnaire was field tested and necessary amendments were made.
- Informed consent was obtained from participants after explaining them the nature and purpose of study.
- Female enumerators were hired and trained for the data collection.
- Coding the identity of respondents was ensured at every step for confidentiality.

**RESULTS**

Table 1 compares details of crimes registered and status of respondents in different prisons.

<table>
<thead>
<tr>
<th></th>
<th>Karachi</th>
<th>Hyderabad</th>
<th>Larkana</th>
<th>Sukkur</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Drug Trafficking</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Under trial</td>
<td>9</td>
<td>6</td>
<td>1</td>
<td>0</td>
<td>16</td>
</tr>
<tr>
<td>Convicted</td>
<td>5</td>
<td>3</td>
<td>1</td>
<td>1</td>
<td>10</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>14</td>
<td>9</td>
<td>2</td>
<td>1</td>
<td>26</td>
</tr>
<tr>
<td><strong>Murder</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Under trial</td>
<td>9</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>13</td>
</tr>
<tr>
<td>Convicted</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>11</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>18</td>
</tr>
<tr>
<td><strong>Murder of Husband</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Under trial</td>
<td>6</td>
<td>9</td>
<td>4</td>
<td>1</td>
<td>20</td>
</tr>
<tr>
<td>Convicted</td>
<td>2</td>
<td>4</td>
<td>0</td>
<td>1</td>
<td>7</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>8</td>
<td>13</td>
<td>4</td>
<td>2</td>
<td>25</td>
</tr>
<tr>
<td><strong>Kidnapping</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Under trial</td>
<td>7</td>
<td>5</td>
<td>3</td>
<td>4</td>
<td>19</td>
</tr>
<tr>
<td>Convicted</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>11</td>
<td>5</td>
<td>3</td>
<td>8</td>
<td>23</td>
</tr>
<tr>
<td><strong>Robbery/Theft</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Under trial</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>5</td>
</tr>
<tr>
<td>Convicted</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>5</td>
</tr>
<tr>
<td><strong>Child Trafficking</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Under trial</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Convicted</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td><strong>Extra-marital</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>relationship</td>
<td>0</td>
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<td>0</td>
</tr>
<tr>
<td>Convicted</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>36</td>
<td>21</td>
<td>9</td>
<td>9</td>
<td>75</td>
</tr>
<tr>
<td><strong>Convicted</strong></td>
<td>11</td>
<td>10</td>
<td>2</td>
<td>2</td>
<td>25</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td>47</td>
<td>31</td>
<td>11</td>
<td>11</td>
<td>100</td>
</tr>
</tbody>
</table>

The findings showed that 75% of the prison inmates were under trial. The data shows six types of crimes i.e. Drug Trafficking, Murder, Kidnapping, Robbery/Theft, Child Trafficking and Extra-marital relationships. Highest number of women being involved in drug trafficking supported the evidence.
that women were used as safe carrier for the drugs. The four crimes i.e. drug trafficking, murder, murder of husband and kidnapping cumulatively account for 92% of female prisoners.

Table 2 Details about Crime, Prisoner’s Status, Education and Co-accused

<table>
<thead>
<tr>
<th>Crime Registered</th>
<th>Under trial/Convicted</th>
<th>Literate/Illiterate</th>
<th>Yes/No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drug Trafficking</td>
<td>16/10</td>
<td>7/11</td>
<td>7/19</td>
</tr>
<tr>
<td>Murder</td>
<td>23/5</td>
<td>8/10</td>
<td>6/12</td>
</tr>
<tr>
<td>Murder of Husband</td>
<td>20/5</td>
<td>3/22</td>
<td>6/19</td>
</tr>
<tr>
<td>Kidnapping</td>
<td>19/4</td>
<td>6/17</td>
<td>10/13</td>
</tr>
<tr>
<td>Robbery/Theft</td>
<td>5/0</td>
<td>4/1</td>
<td>1/4</td>
</tr>
<tr>
<td>Child Trafficking</td>
<td>2/0</td>
<td>0/2</td>
<td>0/2</td>
</tr>
<tr>
<td>Extra-marital relationships</td>
<td>0/1</td>
<td>0/1</td>
<td>0/1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>75/25</strong></td>
<td><strong>28/72</strong></td>
<td><strong>30/70</strong></td>
</tr>
</tbody>
</table>

Table 2 shows that 25 of the inmates (1/4) were convicted whereas 75 (3/4) were still under trial. It was also found that 30 inmates had co-accused with them. Regarding the marital status, 77 were married and the rest (23) comprised of all categories of being unmarried, divorced and widow, as shown in following Table 3.

Table 3 Crime and Marital Status

<table>
<thead>
<tr>
<th>Crime registered</th>
<th>Unmarried</th>
<th>Married</th>
<th>Divorced</th>
<th>Widow</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drug Trafficking</td>
<td>5</td>
<td>14</td>
<td>3</td>
<td>4</td>
<td>26</td>
</tr>
<tr>
<td>Murder</td>
<td>3</td>
<td>12</td>
<td>2</td>
<td>1</td>
<td>18</td>
</tr>
<tr>
<td>Murder of Husband</td>
<td>0</td>
<td>25</td>
<td>0</td>
<td>0</td>
<td>25</td>
</tr>
<tr>
<td>Kidnapping</td>
<td>2</td>
<td>21</td>
<td>0</td>
<td>0</td>
<td>23</td>
</tr>
<tr>
<td>Robbery/Theft</td>
<td>0</td>
<td>3</td>
<td>2</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>Child Trafficking</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Extra-marital relationships</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>10</strong></td>
<td><strong>77</strong></td>
<td><strong>8</strong></td>
<td><strong>5</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>
The Table 3 above shows that the women of all marital status categories were involved in crime. Out of 13 divorced and widows, 10 (77%) were involved in three crimes i.e. drug trafficking, robbery/theft and child trafficking; 5 out of 10 unmarried were involved in drug trafficking.

Findings also showed that 72 inmates were illiterate and only 28 were literate (N=100). Out of 28 literate, 17 (61%) had achieved up to primary and secondary level education only: 15 of them were involved in household work and 2 of them worked as maids. The 11 inmates who achieved college and university level were involved in teaching and worked with private agencies for a low salary with salary bracket of RM 50 to RM 250 per month. Details are shown in Table 4.

Table.4 Crime and Occupation of Respondents

<table>
<thead>
<tr>
<th>Crime registered</th>
<th>Occupation of Respondents</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Farming / Domestic work</td>
<td></td>
</tr>
<tr>
<td>Murder</td>
<td>15</td>
<td>18</td>
</tr>
<tr>
<td>Murder of Husband</td>
<td>24</td>
<td>25</td>
</tr>
<tr>
<td>Kidnapping</td>
<td>15</td>
<td>23</td>
</tr>
<tr>
<td>Robbery/Theft</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Child Trafficking</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Extra-marital relationships</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>82</td>
<td>100</td>
</tr>
</tbody>
</table>

From Table 4 it is evident that an overwhelming majority (82) of inmates were involved in farming/domestic work which does not generate income for them. By ‘farming’ it is meant routine work in agricultural fields which a rural woman has to do. By ‘domestic work’ is meant the routine household work of cleaning, cooking and looking after livestock. Six inmates were working as maids and these are very low paid jobs.
The findings show that fathers of 83 respondents were farmers/laborers (39), doing nothing (10) or dead (34). Only fathers of 17 inmates had either a petty public job or a small business/private job. When we look at the figures for the occupation of husbands, the scenario is not much different (see Table 5).

### Table 5 Crime and Occupation of Husbands of Respondents

<table>
<thead>
<tr>
<th>Crime registered</th>
<th>Occupation of Husband</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Farmer/Laborer</td>
</tr>
<tr>
<td>Drug Trafficking</td>
<td>15</td>
</tr>
<tr>
<td>Murder</td>
<td>8</td>
</tr>
<tr>
<td>Murder of Husband</td>
<td>17</td>
</tr>
<tr>
<td>Kidnapping</td>
<td>11</td>
</tr>
<tr>
<td>Robbery/Theft</td>
<td>3</td>
</tr>
<tr>
<td>Child Trafficking</td>
<td>2</td>
</tr>
<tr>
<td>Extra-marital relationship</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>57</strong></td>
</tr>
</tbody>
</table>

Husbands of 73 inmates were farmers/laborers (57), doing nothing/gambling (11) and begging/ill/old (5). Husbands of 15 inmates were having a petty public job or a private business. Husbands of only 2 respondents who were involved in kidnapping were doctors.

The urban rural divide of the respondents showed that 40% belonged to rural areas and 60% belonged to urban areas. It may be kept in mind that those from urban areas were actually from the slums (KatchiAbadis) of the city and living in worst of the conditions. Findings show that inmates who are illiterate, poor, and belonged to lower socio-economic class had arranged marriages where the women were not asked their consent for marriage. Out of 90 married inmates 63.3% had arranged marriages, 18.9% had marriages of exchange, 15.6% had love marriages, and 2.2% fall in other category where the bride is purchased in lieu of hard cash. All the 2 ‘cash marriages’ and out of 17 inmates having ‘exchange’ marriages, 15 were Sindhi who belonged to
the rural areas where patriarchal society more prevalent. The figures show that 76 out of 90 married women (84.4%) do domestic work/farming, 5 were working as maids and only 9 (10%) were working women employed in public and private sectors. As mentioned earlier the occupation of the husbands as 81.1% were farmers/laborers, doing nothing/gambling and begging/ill/old. Thus the result is: poverty married to poverty begets poverty.

Educational achievement did not necessarily give women self-determination in choosing their life partner, as 16 out of 22 married literate were married off by the choice of their family. Although the legal age of marriage is 18 years for males and 16 years for females, 90% of them were 20 years or below when they were married. Regarding difference in the ages of the couples, only 6 of them were of the same age as their husbands, whereas husbands of 42 inmates were 10 years or older than them. In some cases age gap between the couples was 15 years ((12 inmates) or even 20 years (5 inmates).

Husbands of 75 inmates had one wife while 15 had two wives. The significant aspect here is that men married women much younger than themselves whether it was a monogamous or polygamous marriage. For 34 monogamy marriages, inmates were 10-20 younger than their husbands. In 15 cases of polygamy marriages, husbands of 8 inmates were 10-20 years older.

Only 5 inmates out of 90 (5.5%) mentioned ‘normal’ behavior by husbands. Women inmates who experienced ‘bad’ and ‘violent’ behavior from their husbands were 36 (40%) in number. Forty nine of the inmates described the behavior by their husbands in the category of ‘depends’ by which they meant that sometimes their husbands behaved normally and at other times they were aggressive. Only 11 inmates received ‘normal’ behavior from other family members. Half of the inmates (51) were neglected and 38 received aloof behavior by family members (others than husband). Only 6 out of 40 (15%) from rural and 5 out of 60 (8.3%) inmates from urban areas had received normal behavior by family members. So the ultimate sufferer is the women whether by husband or other family members in a patriarchal society. It is across the board irrespective of the class, rural/urban setting or educational level.

Out of the 100 respondents, 46 inmates had nuclear family and 54 had joint family system. These 46 inmates from nuclear family had up to 9 dependent members in family. Fifty out of 54 inmates having joint family had
dependents up to 11. In response to the question how the women inmates assessed the economic status of their family, 32 of them described it as very poor, 44 as poor, 22 as middle, and only 2 as rich. The husbands of these two ‘rich’ inmates were doctors. If we put together very poor and poor, the figure swells up to 76.

Replying to the question whether any other family member is or had ever been arrested for any crime, 24 women inmates said ‘yes’. They were arrested on criminal charges of kidnapping, murder, drug trafficking, theft/robbery, and ‘honor killing’. Exploring the relationship of that arrested family member, it came out that 16 were husbands, 2 were father and son, while 6 were other family members.

DISCUSSION

Evidence for Marxist Feminist Theory of Crime

This theory views gender inequality as stemming from unequal power of men and women in a capitalist society, which leads to the exploitation of women. Under this system, women are considered a commodity worth possessing, like land or money (Herman Schwendinger 1983). Findings in this study support this theory.

A. CLASS-BASED SOCIETY

Poverty

- 82 women prisoners were involved in unpaid farming/domestic work; 6 inmates worked as maid with monthly salary range of RM 50-RM70; 12 inmates had jobs with monthly salary of RM 250-RM300.
- fathers of 39 women prisoners were farmers, 10 doing nothing, 34 dead, only 18 had job/small business with monthly income around RM 500
- husbands of 57 women prisoners were farmers/laborers, 11 doing nothing / gambling, 5 begging /ill/old, 16 having job/small business with monthly income around RM 500; only 2 were doctors
- 76 inmates belonged to very poor / poor families (living on RM 6 - 9/day); 22 belonged to middle class (living on RM 15-25/day); only 2 belonged to
Education & Employment

• 72 were illiterates; 28 literate
• Out of 28 literate, 15 were housewives and 2 worked as maids.
• The remaining 11 inmates with college and university education were teacher or worked with private company for a monthly salary between RM 100-RM 300

B. PATRIARCHY

Arranged marriages

• Out of 90, 57(63.3%) had arranged marriages i.e. marriages without consent
• Out of 90, 17 were given in exchange i.e. bartered like commodities without consent
• 2 were sold on cash

Age at marriage

• 81 out of 90 married women were 20 years and below when given in marriage

Number of marriages and age difference

• 75 inmates had monogamy marriage, while 15 had polygamy marriages
• Out of 75 monogamy marriages, 40 inmates had their husbands 10-20 years older
• Out of 15 polygamy marriages, 10 inmates had their husbands 10-20 years older

Behavior of husbands

• Out of 90 married women prisoners, only 5 mentioned ‘normal’ behavior by husband
• 36 suffered ‘bad/violent’ behavior by husbands
• 49 described it as ‘depends’, explaining it as ‘sometimes good, sometimes bad’

Male co-accused

• 30 of 100 inmates had co-accused arrested in the same case
• 22 out of these 30 co-accused were family members and males

CONCLUSION

The critical Marxist Feminist criminologists mention poverty and patriarchy as the causation of female crime. In this study majority of inmates were from rural areas, illiterate, not having independent income source and are not in ‘decision-making’ positions. Thus poverty, patriarchy and class based society created women criminals - ‘Wretched of the Earth’ (to quote Frantz Fanon, 1961) - poor, illiterate, lured, hired and stage-managed by males.

This study has made its original contribution to the understanding of female criminality in a society where, otherwise subjugated women, who are suffering from gender bias right from their birth to death, turn to or are shoved to commit a crime.

Limitations of the study

The limitations of this study are as follows:
1. The respondents were small in numbers (N=100). But at the time of data collection these were the all occupants of prisons. Refusals were only 7. Foreigner prisoners were not part of the study.
2. Some hurdles were encountered while conducting the sessions with women prisoners as jail staff were keen to be present during the session lest the inmates may not ‘tell the whole truth and nothing but the truth’ to the researcher.
3. The study could not access the police records and other collateral evidences to explore why and how the crime was actually ‘carried out’, as the researcher had time and financial restraints.

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