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Gender Disparity in Criminal Behaviour in Ado-Ekiti, Ekiti State, Nigeria (Pp. 199-211)

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Abstract

There had been differences in the crimes committed by male and female in various stages, throughout the world. Male criminality became the most significant issue in the literary discussion of crime, which gave female criminality little or no attention. Against this background, this paper looked into disparity in the punishment given to male and female. To achieve this, the samples of 120 respondents were chosen among the inmates, the prison officials, the police and the general public. The findings revealed that preferential treatment only existed in terms of hard labour; that women were not exposed to manual labour as their male counterparts do. Conclusively, equality and fair treatment in all ramifications irrespective of their sex and offence committed were recommended.

Keywords: Ado-Ekiti, Behaviour, Criminal, Disparity, and Gender
Introduction

Male and female define biological sex, feminine and masculine are socially constructed Genders. Maleness and femaleness are referred to as ascribed traits, femininity and masculinity as achieved characteristic that highly varied from one culture to another in any society overtime.

The fact that the difference between male and female crime rates varies so much from society to society suggests that much of the differences are as a result of social and cultural acts. However, some of these differences may be the result of biological or hormonal differences between males and females as posited by Lombroso (1876), He looked at women as social being portraying certain atavistic characteristics, hence more criminally inclined behaviors are found in female than male counterparts. If crime were to be explained merely by primitive traits according to him female crime would be greater than male crime because females are less advanced than males.

Sex differences in aggression show up at puberty in human as well as in other primates. Although, aggression may be a learned behaviour, it also seems to be linked to sex hormones which predispose males more than females to aggressive behaviour that may label criminal by society.

As evidences show that male are more likely than female to engage in aggressive behaviours, there is also evidence that hormonal changes in women which are related to the menstrual circle increase the livelihood of criminal behaviour during premenstrual and menstrual days (Pollack 1950). Although about half of all female assaultive crimes seem to occur during the premenstrual and from menstrual days. Though not all women commit crimes at these times but hormonal changes may predispose -certain women who find themselves in particular circumstances to engage in behaviour that violates the law. Criticizing Pollack's assertion, Stephen Jones (2001) gave no real evidence that female domestic servants commit many crimes against their employers or that women are better at concealing crimes than men. Jones says, "Pollack's methodology nowadays appears hardly satisfactory. For example, he failed on account of changes in the law against abortion in several countries he studies". Heidensohn (1985) also criticized Pollack, noting that later research indicates that much shoplifting offence is committed by men. She also commented, that "concealment of menstruation is by no means universal and changes sexual roles have long made nonsense of his view of passive, receptive females brooding vengeance. Pollack's work

as being based upon an unsubstantiated stereo-typical image of women and notes his unwillingness to attribute male crime to biological predisposition, aggression and violent.

The kind of crime that are committed *by* women like those committed by men, reflect the gender defined social roles that are available to them, Both men and women tend to steal cloths, food or low items while men are likely to steal books, electrical good or high value items. This reflects the conventional domestic expectation that tie women to shopping for basic household good in supermarkets while men are able to shop for Luxuries (Smart, 1977).

As women attain positions similar to men, their pattern of criminality will also become similar. As the employment patterns of men and women become similar, so will their patterns of crimes related. Taking a cursory look at the assumption that women commit crimes due to the lack of opportunities to make money. Simon and Landis (1991) contended that greater participation in the Labour force does not necessarily mean either more quality between the sexes or an improved economic situation for women. The bulk of female offenders, if employed at all, are concentrated in a pink - collar ghetto and their positions are characterized by poor pay and unrewarding, in secured work. Female crime, the bulk of which is petty property crime, constitutes a rational response to poverty and economic insecurity.

Though this assumption would imply that as women's economic opportunities rise, their property crime rate will fall. Simon and Landis (1991) pointed out that the reverse has occurred as women are attaining more while -collar positions, the more they commit property crime.

Statement of the problem

In the past, women were almost invisible in the literature of crime, until recently, crimes committed by female were generally ignored in most textbooks or were added as a footnote to the discussion of male criminality. Aside from this, the different involvement in crime of men and women is one of the most striking and criminological truths, and it is therefore surprising that it has not been more widely studied in order to ascertain what causes the difference and therefore possibly what causes criminality.

Though many criminologists suggested that patterns of crime among women present extensions of their traditional female roles, Adler (1975) posited that involvement of women in criminal behaviour was on the increase especially

where there are changes in their social roles. He argued further that shifts in sex roles make women more willing to participate in crime. Also Simon (1975) stressed that the objective changes in women's situation particularly their greater labour force participation make more criminal opportunities available to women.

In Nigeria, the issue of criminality has been a gender issue women are no longer playing a role of second fiddle, they engage in such activities, in which men do, in order to make a living or to control the family especially where the breadwinner had died. Because of the difficulty in achieving these goals, the tendency of criminality becomes paramount in women circle. For the fact that female criminality had not been stressed as male, the endeavour is therefore pertinent to fill the gap that has been left open in the body of literature constituting the subject matter to sex differences in criminal behavior.

Gender differentials in a male dominated society

In a publication of prisoners' rehabilitation and welfare action (PRAWA 2000), Amnesty international was quoted as follows:

No country in the world treats its women as equally as well as men. Women from all social classes cultures and races, in all societies, are at risk of abuse of their human rights. Discrimination in civil society can compound the risk to women's human rights. Often discrimination -against women is reflected in national Law. If the law regards the woman as a second-class citizen, where is the incentive or the opportunity for society as a whole to respect women's human rights?

The above portrays the varied differentials characterizing men and women within male dominated society. Champion (1984) while evaluating the concept of male role from the stand point of power and sexual license, argued that because many women have been schooled into passivity as the men have learnt the value of power, men who consider their physical strength as advantage over the women's tenderness, exercise their "maleship" over the women by acts of sexual license. Traditionally, the work of women was perceived to be limited to their reproductive functions typified by their roles as care givers in home and their services in non - monetized sector of the economy.

Female criminality

In examining sentencing policy, Farrigton and Morris (1983) conducted a study of sentencing in magistrate courts, they started by noting that some official figures did imply more leniency towards women, For example in 1979 6.6 percent of men but only 2 percent of women found guilty of indictable crimes were imprisoned. Also in the same year data on sentencing for 408 offences of theft in Cambridge were examined. Some 110 of these offences were committed by women, although men received more severe sentences than women, the research found that the differences disappeared when the severity of offences was taken into account, he concluded.

According to a PRAWA (2000) publication, there is significant differences between male and female offence rates (in some cases the ratio is as high as 16:1) in indictable offences. This has kept the number of women in prison custody in Nigeria and elsewhere in the world relatively low compared to the men. It needs to be noted however, that this relatively low figure often lead people to forget that there are women behind bars (Hess 1988). Several reasons account for the low rate of female criminality. One of the reasons is the apparent under reporting of criminality in the country. Another reason is that women have been ignored as a result of low status the society accords them, especially as they are more prone to committing non -violent crimes. Available data revealed that women being placed in custody for offences ranging from prostitution, quarrel, theft, and friendship with armed rubbers (Akumadu 1995).

As Rotimi (1993) further revealed in cases where women have been found to commit certain offences, extra judicial measures may be taken to punish them viz, the use of ridicule, embarrassment and other forms of traditional sanctions etc, they have increasingly involved in sophisticated crimes such as armed robbery, drug trafficking or forgery. Women have been found to be engaged in frauds and related crimes, In a review of some of these crimes by Rotimi (1993), it revealed that a women was caught carrying \$19,000 which she intended to smuggle abroad as reported in West African Journal of January 21, 1985. While the punch of December 12, 1984 reported a woman sentenced to death for illegally exporting crude oil and the Evening times of January 23, 1984 reported of a female cashier who had forged the signature of her bank manager with the intention of stealing N24, 000.

Treatment of female offenders

A number of empirical studies on gender and crime have reached the conclusion that males and females are treated differently and inequitably by the Justice system but not always to the detriment of women. Heidensohn (1985) suggests that women are treated more harshly when they deviate from societal norms of female sexuality. Sexually promiscuous girls are more likely to be taken to prison than similar boys on the other hand courts may be reluctant to imprison mothers with young children.

Hilary Allen's (1987) studies of sentencing found that women are treated quite leniently to escape with low -tariff punishments across a range of offences and were certainly less likely to be sent to prison. He also submitted that men are more likely to be fined and imprisoned partly because they are seen as being less central to family life than women. The loss of parent through imprisonment is regarded as less problematic for a family if the offender is a man than if she is a woman. Women are seen as being less inherently deviant than men, and courts find it harder to understand their criminal activity. Consequently courts are more likely to order reports on female offenders in the search for underlying psychological meanings, probation may be used instead of fine, with the intention of helping the female offender.

Similar conclusions are reached by Part Carlen (1997) she argue that the majority of British born women who go to prison in England, Wales and Scotland, are less likely to be sentenced for the seriousness of their crimes and according to the court's assessment referring to them as wives, mothers and daughters. If they are young and their parent or state guardians believe them to be beyond control, if they are single, divorced or separated from their husbands or if their children are in residential care, they are more likely to go to prison than those who thought their crime may be more serious, are living more conventional lives - Heidensohn, 1997.

Objective of the study

It has been observed that not much work had been done on male - female disparity in criminal behaviour especially from the feminine perspectives in sociological parlance. Little or no emphasis has been laid on the need to reduce the incidence of criminal behaviour. To this end, the general objective of this study is to understand the extent to which gender is involved in criminal activities. The specific objectives are highlighted as follows. To ascertain the various types of crimes committed by both males and females

incarcerated in Ado Ekiti Prison. To know the differential causes of crime between men and women. To find out the level of punishment differentials between male and female offenders.

Methodology

The study site, prison yard under the Nigeria prisons service Ado-Ekiti is located around Fajuyi Park in Ado- Ekiti. The prison, being a federal parastatal, had been established before the creation of Ekiti State in 1996. The Prison was established to take charge of convicted criminals for the purpose of punishment and rehabilitation. The yard occupies approximately 6050M- area with a capacity of about 500 inmates. There are warders and other prison officials who see to the day - to - day affairs of the prisons and the inmates ensuring their physical and mental well-being.

The prison is highly fenced for security reasons and the prison officials are armed ready for unexpected situations. The inmates are secured with burglary to prevent possible escape. They engaged in social, self developmental activities and those interested in continuing their educational carriers are allowed to write external exams within the yard (Adelola, 1991).

The inmates are easily identified with the peculiar mode of dressing which are in a particular colour different from usual clothing. The prison officials are also identified from other official clothing (green in colour) and badges which show their names and rank.

The Nigeria prison Ado-Ekiti which has its zonal headquarter in Ibadan accommodates inmates of both sexes which range in categories from those convicted for murder, robbery, theft, assaults, frauds and conspiracy, arson, unlawful possession of property, rape etc, to those whose cases are still pending in courts.

For the purpose of this study, the subjects include both male and female prisoners of all categories.

The inmates' population at the prison as at the date of this study was 324 prisoners. Out of which 316 and 8 were males and females respectively. The female inmate's population at the prison was very low, meanwhile, population of inmates was not steady on each day, new inmates are brought and some are discharged or taken out for their trial (as for the awaiting trial inmates). At the end of the period of the field-work, only 52 males and 8 females were interviewed. Out of 8 female inmates, those awaiting trial were

6 while the other 2 had been convicted. For the male inmates of 316, 45 were convicts, 271 were awaiting trial.

The sample size of 120 was chosen among the inmates (male and female), some staff of the prison, the police and the general public. Out of this number, 60 were chosen from the inmates, 40 from the prison officials and the police while the remaining 20 were chosen from the public.

For the purpose of this study, simple random sampling technique was adopted for the male inmates, due to the tight security at the prison, most especially for the awaiting trial inmates and the convicts do not always stay in the blocks. It is either they go out for labour or doing other things. And for the female inmates, since they were not many all of them were interviewed.

For the purpose of data collection, the following principal methods were employed interview schedule (face to face) and questionnaire. Documentary analysis - Among the document from which information and data were extracted were long term prison record book, short term prison record book, prison daily admission book from 2000-2007, prison welfare department record books.

Data presentation and interpretation of findings

This aspect deals with the analysis and interpretation of data. Data collected was analyzed by using frequency distribution table with the use of percentages. Bivariate analyses were used to explain relationship among variable of the study population.

From table 2, it was revealed that the crime of armed robbery has a larger percentage of 52.5%, crime of assassination followed by 20.8% while crimes of rape, assault and petty theft had 12.5%, 9.2% and 5.0% respectively. It was also revealed that male has high tendency to commit the above categories of crime except petty theft which favours female. This also showed in the in-depth interview conducted among them, a lady revealed that she stole jewelries from a neighbor for the reason that she could not afford the price.

Table 3 shows that crimes were mostly caused by the influence of peer group with 45.8%, followed by poverty which has 21.7%, lack of parental care 13.3% and lack of employment has the lowest 12.5%. The deduction from this table showed that crimes are caused mostly by the influence of peer group.

From the in-dept interview conducted, a lady also revealed that her action of criminality was as a result of a piece of advise given to her by her friend to deal with her husband, "I did not intent to kill him, I wanted him to love me the more, I did not know it will lead to his death" she prepared love concortion as advised by her friend not knowing that it was poison.

From table 4, it is gathered that the highest number of respondents agreed that there was no difference in the punishment given to both male and female. This represents 66.7% of the population; the respondents that were unaware of such preferential treatment constitute 20% while those that agreed that was preferential treatment constitute 13.3%.

Also revealing through the interview conducted, most of the respondents revealed that there was no different in the punishment given to both male and female.

It is deduced from the above that no preferential punishment was given to either sex of the inmates.

Conclusion

Based on the finding of this research, it was revealed that women commit lesser crimes than man; that the causes of crime are numerous and multi-dimensional depending on the situation such criminal found himself or herself; that no differential punishment was given to either sex of the inmates. However in terms of Labour it is different because female inmates do not go out for Labour as their male counterparts do, the female inmates were not exposes to hard Labour, they were not being led by warders outside the prison yards, this has to be looked into because of the signal it sending to the public that: may be women are not criminals but men, though the percentage of men is greater but then criminal is criminal either male or female, and so equal treatment was supposed to be given to criminals irrespective of the sex.

Recommendation

As Young (1997) puts it, the problem of crime is rooted in social inequalities, only if those inequalities are significantly reduced, will the problem of crime be reduced.

Young also suggests that improving leisure facilities for the youth, reducing income inequalities, raising the living standard of poorer families, reducing unemployment and creating jobs with which enhance a housing estates, and providing community facilities to curb crime.

Be that as it may, society at large should embrace Gender equality, women should be given the same position as men (i.e.) greater participation in the labour force and political offices, and this will go a long way in reducing criminality.

Aside from this, family rehabilitation should be re-emphasized, as regards roles in the family, who plays which role(s)? Parents should go to the drawing boards and play the roles assigned to them naturally or culturally to reduce the influence of peer group in the cause of crime.

Above all, in the treatment of the offender, gender should be treated equally irrespective of the offence(s) committed and not that alone, any offence committed especially from the female angle should be reported adequately.

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Table 1: The populaiton and distribution of the inmates

| Blocks | Inmates | No | % |
|---------------|-----------------------------|-----------|----------|
| A ward | Convict Male (CM) | 45 | 13.9 |
| B ward | Awaiting Trial Male (ATM) | 271 | 83.6 |
| C ward | Convict Female (CF) | 02 | 0.6 |
| D ward | Awaiting Trial Female (ATF) | 06 | 1.9 |
| E ward | Suspects | - | - |
| | Total | 324 | 100 |

Source: Nigerian Prison Ado – Ekiti (2007)

Table 2: Crime distribution of respondents

| CRIME | SEX | | | | | |
|---------------|------|------|-------|------|-------|------|
| | MALE | | EMALE | | TOTAL | |
| | No | % | No | % | No | % |
| Armed robbery | 60 | 53.6 | 3 | 37.5 | 63 | 52.5 |
| Rape | 15 | 13.4 | 0 | - | 15 | 12.5 |
| Assassination | 25 | 22.3 | 0 | - | 25 | 20.8 |
| Assault | 10 | 8.9 | 1 | 12.5 | 11 | 9.2 |
| Petty theft | 2 | 1.8 | 4 | 50 | 6 | 5.0 |
| Total | 112 | 93.3 | 8 | 6.7 | 120 | 100 |

Source: Nigerian Prison Ado – Ekiti (2007)

Table 3: Frequency distribution of respondents on the causes of crime

| RESPONSE | SEX | | | | | |
|-------------------------|------|------|--------|------|-------|------|
| | MALE | | FEMALE | | TOTAL | |
| | NO | % | NO | % | NO | % |
| No Parental Care | 14 | 12.5 | 2 | 12.5 | 16 | 13.3 |
| Lack of Employment | 13 | 11.6 | 2 | 12.5 | 15 | 12.5 |
| Influence of Peer Group | 52 | 46.4 | 3 | 37.5 | 55 | 45.8 |
| Poverty | 25 | 22.3 | 1 | 12.5 | 26 | 21.7 |
| Total | 112 | 93.3 | 8 | 6.7 | 120 | 100 |

Table 4: Frequency distribution of respondents on differential punishment between male and female offenders

| RESPONSE | SEX | | | | | |
|----------|------|------|-------|-----|-------|------|
| | MALE | | EMALE | | TOTAL | |
| | No | % | No | % | No | % |
| Yes | 14 | 12.5 | 2 | 25 | 16 | 13.3 |
| No | 76 | 67.9 | 4 | 50 | 80 | 66.7 |
| No idea | 22 | 19.6 | 2 | 25 | 24 | 20 |
| Total | 112 | 93.3 | 8 | 6.7 | 120 | 100 |