
THE CONCEPT OF FEMALE CRIME AND ITS SPECIFIC FEATURES

Kamola Olimovna Mirshaeva*

*Student,

Higher School of Judges under the Supreme Council of Judges of the Republic of Uzbekistan,
UZBEKISTAN

Email Id: kmirshayeva@bk.ru

DOI: 10.5958/2249-7315.2022.00049.1

ABSTRACT

The article discusses the concept of female crime, the differences between female and male crime and its specific features. In the structure of female crime, personal qualities and crimes committed with malicious intent are distinguished, as well as demographic, psychological and ideological aspects. Criminological aspects of female crime have been studied. The opinions of leading national and foreign scholars were also analyzed.

KEYWORDS: *Female Crime, Crime, Behavior, Criminological Differences, Purpose, Analysis, Specific Features.*

1. INTRODUCTION

Comprehensive measures are being taken in our country to prevent crime, including raising the legal awareness and culture of the population, improving cooperation between government agencies and civil society institutions. "The Action Strategy for the five priority areas of development of the Republic of Uzbekistan in 2017-2021" pays great attention to the control of social behavior and social protection of children from troubled families, unorganized youth, unemployed youth [1].

In particular, the Cabinet of Ministers of the Republic of Uzbekistan adopted Resolution No. 565 in order to study the causes of crimes and the conditions that led to their commission, to ensure cooperation and coordination of bodies and institutions involved in crime prevention and participation [2].

So, the study of female crime has not lost its relevance at the current stage of development of social relations in the criminal justice system. Our people respect and honor the woman as an educator of the future creators, a loving mother, a loyal spouse and an active person who has a place in society. But it is a sad fact, though sad, that some women commit crimes in a manner unworthy of their own dignity.

More than 50% of the population of Uzbekistan are women, and today women have become a powerful factor in the development of society [3]. The basic law of the Republic - the Constitution and other normative legal acts defines the rights of women and their guarantees. Despite the fact that women are given so many rights, in our society, women also commit various crimes. Each description should reflect the important aspects of the object under study, its distinctive features, its general nature or its specific aspects [4].

Based on this information, it is possible to analyze the reasons for the increase and decrease in the number of crimes, to determine the priority of preventive measures. This general rule also applies to crimes committed by women for malicious purposes.

An important difference in crime between men and women is more evident in crimes committed

with the use of force (murder, robbery, aggression, violent harassment with a weapon). Some people try to biologize the crimes committed by women even in this case, arguing that women commit fewer crimes because they are physically weaker than men. In our opinion, such an approach is one-sided. Although women lag behind men in terms of physical strength, their insignificant contribution to violent crimes should be explained by linking them to traditional upbringing. In addition, in women, the emotional state, sensitivity is stronger in a certain physiological state. This situation is also taken into account in the legislation.

In addition, crimes committed by women also differ in criminal motives. They are manifested primarily in jealousy, revenge, envy, trying to get rid of the victim. Many crimes committed by women are the result of the victim's illegal behavior. The problem of female crime has been analyzed by scientists and practitioners for many years, who have sought to find the most effective ways to influence women's criminal behavior, finding aspects that significantly differentiate it from men's behavior.

The legal literature provides different definitions of female crime. In particular, M.N.Golodnyuk comments on the criminological aspect of the concept of female crime: "The whole set of crimes committed by women, which, along with all the features of all crimes, has a certain specificity." [5]

In A.I.Dolgov's research on the criminological aspects of the concept of women's crime, he explained the concept of "female crime" as follows: "female crime is, based on the general definition of crime, a historical variable, a negative social, class social phenomenon, committed by women over a period of time and having a criminal character." [6]

Thus, female crime is a social and legal phenomenon, the content of which is prohibited by criminal law and is a set of socially dangerous acts committed by persons of the opposite sex after reaching the age of criminal responsibility, and this crime is committed within a certain period of time. In women, internal preparation for crime is formed under the influence of many micro and macro conditions.

Today, women say that men's passivity in providing financial support to the family and solving its other problems is increasing, allowing a man to break up a marriage at any time and leave his family without a livelihood. This leads to a weakening of the moral foundations of the family. In many cases, they are affecting their mental and physical condition in order to support themselves and their children economically. Crime is a complex phenomenon characterized by both a set of negative actions at the same time and specific processes occurring in space and time.

There is a difference between male and female crime in the study of traditional crime. The female offender is distinguished by her uniqueness. For example, female crime differs in many respects on the scale of men's crime, the nature of the crimes committed, the methods and means of their commission, the motive and a number of other circumstances.

Criminologist V.A.Serebryakov in his works focuses on the study of male and female crime. In his view, he noted that female crime is radically different from male crime, in particular, it has an impact on the type and nature of crime as the number of crimes committed, the nature of the crime and changes in social conditions [7].

Distinctive aspects of female crime are related to the "demographic, psychological and psychophysiological characteristics of the female body" [8], the historical place of women in social life [9], its social role and function [10], as well as the spiritual and psychological impact of women's crime [11].

As a result of women's criminal behavior, the proper functioning of the family as a social institution is disrupted [12]. Y.M.Antonian argues that women's criminal behavior has a negative

impact on society, its institutions and communities, especially the family and its moral, spiritual and psychological environment. Female crime can be an indicator of a society's spiritual, healthy generation as well as universal values [13].

In his research on the subject, Ch.Lombroso noted that crimes previously committed by women for malicious purposes were mainly organized by the mother killing her own child [14]. Consequently, it shows the need to study female crime both in general social relations and events, as well as in other segments of crime, in their various aspects. The structure of female crime does not repeat male crime, it is specific and is largely determined by the types of crime specific to women. For example, in the structure of female crime, malicious crimes predominate and they are in many respects related to professional activities. This difference is explained, on the one hand, by the personal qualities of women offenders, and, on the other hand, only in formal circumstances, for example, by the fact that workers in one field or another constitute a predominantly female contingent.

However, today there is a process of change in female crime, which is traditionally reflected in the similarity of crimes committed mainly by men (for example, in recent years there has been a slight increase in violent crimes committed by women for malicious purposes). V.Dahl defines the concept of greed as "the acquisition, possession, free income, profit of wealth and money." [15]

Indeed, selfish goals are certainly manifested in a person's behavior through the pursuit of material or spiritual interests. Murder is a very serious crime of violence. The motives for the murder may vary. The analysis of the motives of this type of crime allows to classify it as follows: a) selfish motives associated with the desire to have the means to satisfy their needs; b) hooligan motives of gross disrespect for public morality and public order; c) jealousy and envy; g) all kinds of revenge and other discrimination.

As a result of the study of female crime, the scale of femalecrime, the nature of crimes and their consequences, methods and means, the field in which they occur, the role of women in this situation, their impact on family and domestic offenses and the circumstances associated with them radically different from crime. These features are related to the historically defined place of the woman in the system of social relations, her social roles and functions, biological and psychological characteristics.

However, it can be said that femalecrime is the result of existing problems in women's life activities. Women's problems are issues that reflect the role and activities of women in this society. Many of them are associated with difficulties in integrating women's professional and social roles with the family, which is evident in their high proportion, especially among unskilled and influential professionals. Women's crime is less common in a society with a high socio-economic status.

Because of the difficulty in combining professional and family roles, married women are more likely to focus on having one child in the family. With the achievement of higher education and economic independence, many of them became more interested in professional careers. This is leading to the growth and destabilization of marital relationships and divorce. For example, some psychological characteristics of a woman may be related to the crime she committed. They can play a leading role in choosing a criminal way of meeting their needs or resolving a conflict (selfishness, selfish motives, unwillingness to work, disrespect for human life and human dignity, sexual immorality, etc.).

Others contribute to crime when there is an external embarrassment (weakness, obedience, negligence, low intellectual development, self-esteem, emotional arousal, stigma, jealousy and cowardice, etc.). These reasons also include going somewhere, paying off debts, helping friends. In addition, in many cases, the crime committed by a woman for malicious purposes can be manifested mainly in mental and psychological characteristics. Some criminologists describe the increase in female crime rate as an aggression against women and contrary to the public interest. They also point out that the increase in female crime is related to feminism and female emancipation. According to T.P.Lugovenko, social and moral instability in society leads to an increase in women's crime, especially in the economic sphere. In particular, crimes against property occupy a leading position among the crimes committed by women. The next place is occupied by economic crimes [16].

In addition, the study of the historical approach to this issue deserves special attention. For example, the transition of the Republic of Uzbekistan to a market economy and socio-economic changes have had a significant impact on the socio-legal status of women and led to an increase in crime [17].

Indeed, socio-economic changes in society lead to the emergence of new relationships and the emergence of new forms of crime. Analyzing the above, as changes in society in modern times develop with the development of social relations, most women assume social roles and functions. This means that their involvement in illegal activities will also increase. At the same time, it is worth noting that the development of social relations also affects the psychological state of women. Such crimes are committed mainly for malicious purposes.

For example, if at the end of the twentieth century in everyday life crimes were committed mainly from domestic and idle sitting, now crimes against the economy are being committed. In particular, the crime of fraud in Uzbekistan is growing every year. This trend is related to the social status of women in society or their occupation of various spheres of production. This situation once again proves the urgency and complexity of the tasks set before us. Today, the specific nature of female crime, especially the rapid spread and proliferation of drug-related crimes, is worrying. However, organized crime by women has a negative trend in Uzbekistan as a whole. Separating female crime as an independent type helps to study its specific features and position and role in the system of social relations.

In our view, female crime as an independent problem has only begun to take shape steadily in recent years, driven by a desire to supplement criminological data on such crime and deepen the analysis of research in this area and expand the scope of various studies. It should be noted that the analysis of female crime helps to identify the specifics of the crimes committed by them, their causes, conditions, personal characteristics of women offenders and to develop and apply a system of measures and methods to prevent it. This specificity allows the implementation of preventive measures. According to V.E.Sereda, the direct detection and analysis of negative factors in the social environment has a positive effect on the use of modern preventive methods in the prevention and elimination of crime [18].

Thus, female crime is a socio-legal phenomenon consisting of a set of socially dangerous acts committed by persons of the opposite sex within a certain time and territory, which is prohibited by criminal law and has reached the age of criminal responsibility. The geopolitical, demographic, historical and economic processes taking place at certain stages of society's development are related to the development of female crime. We can see that crimes committed by men and women in society are interrelated.

Thus, a review of the definition of “femalecrime” has led to the conclusion that femalecrime as an independent crime has remained stable in recent years. Because the addition of criminological information about such a crime and the desire to deepen the analysis of research in this area, showed the need to expand research in this area and in various fields. Femalecrime, as part of a complex crime phenomenon, has the characteristics of a crime, which defines its consideration as a relatively independent category that is an integral part of the overall phenomenon of action. From the crimes committed by men, we can see that femalecrimes differ from:

- a) Malicious crimes committed by women are committed mainly against their husbands, children and close relatives;
- b) Family conflicts and needs;
- c) Often commit a crime while intoxicated or consuming psychotropic substances;
- g) Organized crime is less common;
- d) Differ in the area of the crime;
- e) Associated with changes in women's social (family) life;
- j) Mainly as a result of insults, lies, promises, harassment, violence against women;
- h) Mainly serious and very serious crimes occur as a result of family majorities.

REFERENCES:

1. Decree of the President of the Republic of Uzbekistan dated February 7, 2017 No PD-4947 “The Action Strategy for the five priority areas of development of the Republic of Uzbekistan in 2017-2021”
2. Resolution of the Cabinet of Ministers of the Republic of Uzbekistan dated September 10, 2021 No 565.
3. Ganieva G. “Women of Uzbekistan for Democratic Development”. Humanrights № 1 (21) 2003. –P. 140.
4. Уголовное Уложение от 22 марта 1903 г., с мотивами извлеченными из объяснительной записки редакционной комиссии. СПб., 1904. С. 765.
5. Голоднюк М.Н. Криминологическая характеристика женской преступности: автореф. дис. ... канд. юрид. наук. – М., 1975. – С. 3.
6. Долгова А.И. Криминология. 4-е изд., перераб. и доп. – М., 2016. – С. 38.
7. Серебрякова В. А. Преступления, совершаемые женщинами. – М., 1973. – С. 21.
8. Лунеев В. В. Характеристика и причины преступности женщин // Актуальные проблемы уголовного права и уголовного процесса: Тр. Инс-та гос-ва и права Российской академии наук / отв. ред. проф. И. Б. Михайловская. – М., 2009. – № 6. – С. 6.
9. Пастухова А. М., Тренина Е. А. Женская преступность // Норма. Закон. Законодательство. Право: материалы и тезисы докладов студенческой межвузовской научно-практической конференции (Пермь, 3-4 мая 2007 г.). – Пермь: Изд-во Перм. ун-та, 2007. – С. 299-300.
10. Подолук М. Л. Социальное противостояние между ролями и функциями женщин в современном обществе (женская преступность) // Право: теория и практика. – 2010. – № 6-7 (131-132). – С. 37-40.
11. Телегина Е. Г. Женская преступность в контексте девиантного поведения // Проблемы

реализации российского законодательства на современном этапе: сборник научных статей адъюнктов, аспирантов, соискателей. Вып. 1. – Саратов: СЮИ МВД России, 2007. – С. 171-181.

12. Варапаева Г. А., Витько В. В. Социальные факторы женской преступности //Актуальные проблемы экономики и права на современном этапе развития России: материалы международной научно-практической конференции (20-21 октября 2008 г.): в 2-х т. Т. 2. – Барнаул: Изд-во ААЭП, 2008. – С. 123-125.
13. Антонян Ю. М. Преступность среди женщин. – М.: Российское право, 1992. – С. 4.
14. Ломброзо Ч. Преступление. – М., 2004. – С. 121.
15. Даль, В. И. Толковый словарь живого великорусского языка: в 4 т. / В. И. Даль. – М., 1881. – Т. 2. (И–О). – 173 с.
16. Луговенко Т. П. Личность женщин, совершающих преступления в сфере экономики //Закономерности преступности, стратегии борьбы и закон / под ред. А. И. Долговой. – М., 2001. – С. 284.
17. Серебрякова В.А. Криминологическая характеристика женщин-преступниц // Вопросы борьбы с преступностью. – 1971. – № 14. – С. 5.
18. Серeda Е.В. Исследование женской преступности в отечественной криминологии // Личность преступника и вопросы исправления и перевоспитания осужденных: Сб. науч. тр. ВНИИ МВД СССР. – М., 1990. – С. 52.