

## **CORRELATION BETWEEN FEMALE IDENTITY IN CIVIL SOCIETY AND CRIMINAL REPRESSION IN HUNGARY AND RUSSIA**

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*Exploring data on recidivism in Hungary and Russia, the authors study the presence gender dimension of crime prevention. We agree with the assertion that crimes are predominantly committed by males but they believe that theoretical hypotheses developed by criminologists through the examples of men's crimes cannot be transferred to women by default. Feminist criminology deals with the relationship of female identity in Russian society and crime, above all, recidivism. Analysis of data on the state of crime in Russia shows that, despite the general positive dynamics of its decrease, the rate of recidivism remains at a high level. In Hungary rates of repetition of offences committed by women are also rising. The aim of the study is to analyze the causes and conditions of female recidivism through the prism of the socio-psychological concept of crime causality. The novelty of the study is expressed in establishing the asymmetry of the criminal policy towards women, who, due to their conformity, are more prone to manifestations of repeated deviation. The*



*authors conclude that the intense increase in recidivism is evidence of the ineffectiveness of the criminal, prison and preventive policies.*

*Keywords: criminal policy; recidivism; re-socialization; female crime; female recidivism; imprisonment; post-prison crime; convicted women; criminal professionalism; social adaptation.*

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## Introduction

The content of the social landscape of “feminine” and “masculine” is formed through public relations, a specific gender-role division of labor and power and expresses the social structures of power that have developed between the man and the woman.<sup>1</sup> In modern society, there is a number of basic problems of gender inequality: discrimination in employment related to the gender pay gap in many sectors; low representation of women in decision making; prohibition of certain professions; the general lack of a comfortable environment in which it would be easy for a woman to choose her preferred profession and at the same time effectively combine work with motherhood and family life.<sup>2</sup> In a market economy,

<sup>1</sup> Кунц К.-Л. Введение в криминологическое измерение: монография [Karl L. Kunz, *Criminological Thinking – An Introduction: Monograph*] (St. Petersburg: Alef-Press, 2019).

<sup>2</sup> Смирнова И.Н. Гендерное измерение цифровой экономики: от стратегии к действию (2018–2030) // Женщина в российском обществе. 2018. № 3. С. 116–120 [Inna N. Smirnova, *The Gender Dimension of the Digital Economy: From Strategy to Action (2018–2030)*, 3 Woman in Russian Society 116 (2018)].



one of the challenges for families has become the forced discontinuity of a mothers' employment, which, in turn, generates financial and psychological problems.<sup>3</sup> A woman during the period of birth and childcare loses the bulk of her income, becomes financially dependent on the man (husband, if she has one), experiences a number of subjective and objective difficulties associated with returning to work. The need to combine caring for children with work, to adapt to the new requirements and conditions of the employer, forced refusals from the previous specialty, the transition to the field of unskilled labor, the requirement to improve qualifications or even unemployment make motherhood less attractive.<sup>4</sup>

There is a positive gender trend caused by the development of the digital economy as a result of which there are new forms of employment and labor markets exclusively for women, new approaches to workplace organization, new methods for finding vacancies and placing CVs (resumes) in relevant online search engines, new forms of increasing motivation and organization of training for female staff, new types of labor relations (remote employment, self-employment, project work). In other words, women regain space for self-realization on their own.

The need to study the social image of the woman to explain her criminal behavior is confirmed by many experts, primarily criminologists, psychologists and sociologists.<sup>5</sup> At the same time, there are reasonable doubts as to whether any criminal behavior can be completely reduced to gender-role influence. The authors of this article suggest ways to fill in the gaps in the study of gender-role influence which is important both for criminalization and for female crime prevention.

## 1. Female Crime in Hungary

### 1.1. The Importance of Social Gender

It is not new that women's share of the total crime is only a fraction of that of men. Rather than crime figures, its dynamics raise questions that illustrate well the consequences of changing the social role of women. It is in this relation that the role

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<sup>3</sup> Силласте Г.Г. Гендерная социология и российская реальность: монография [Galina G. Sillaste, *Gender Sociology and Russian Reality: Monograph*] (Moscow: Infra-M, 2016).

<sup>4</sup> Калачикова О.Н., Груздева М.А. Гендерные стереотипы в современной семье: женщины и мужчины (на материалах социологического исследования) // Женщина в российском обществе. 2019. № 1(90). С. 64–76 [Olga N. Kalachikova & Maria A. Gruzdeva, *Gender Stereotypes in a Modern Family: Women and Men (Based on a Sociological Study)*, 1(90) *Woman in Russian Society* 64 (2019)].

<sup>5</sup> Бражников Д.А., Кобец П.Н. Женская рецидивная преступность: отдельные вопросы предупреждения органами внутренних дел // Юридическая наука и правоохранительная практика 2018. № 3(45). С. 75–86 [Dmitry A. Brazhnikov & Peter N. Kobets, *Female Recidivism: Separate Issues of Prevention by Internal Affairs Bodies*, 3(45) *Jurisprudence and Law Enforcement Practice* 75 (2018)]; Жестеров П.В. О роли уголовной репрессии в предупреждении преступлений террористического характера // Журнал правовых и экономических исследований. 2016. № 1. С. 36–41 [Pavel V. Zhesterov, *On the Role of Criminal Repression in the Prevention of Crimes of a Terrorist Nature*, 1 *Journal of Legal and Economic Research* 36 (2016)].



of social gender, ie gender, will be emphasized in relation to biological gender. Gender in itself is a social construction that includes social expectations and norms related to each gender. The concept of gender brings together the different disciplines in a coherent way – medicine, sociology, psychology, geography, anthropology, linguistics – concerning the use of language between the two sexes. The concept of gender points not only to the linguistic and language use differences manifested in the discourse, but also to their roots: cultural anthropology, sociology, anatomy, demography, and religion.<sup>6</sup> Expectations include different attitudes, masculine and feminine traits arising from the distinction between male and female gender, which appear in the context of a person's behavior based on gender stereotypes.<sup>7</sup> These stereotypes are manifested not only in behavioral forms, but also in our language use, in our roles in society, and in the roles expected of us in a given society or subcultures.<sup>8</sup> There are also historical implications for gender, as in Europe until the mid-17<sup>th</sup> century, women had no right to speak in parliament, could not participate in the drafting of laws, and were completely subordinate to their husbands. The man kept in touch with the outside world, exercised control and disciplinary rights over his wife's person and property, as well as supervised his wife's correspondence and prevented her from taking work outside her home.<sup>9</sup>

In the second half of the twentieth century, there were a number of important changes in the roles of men and women and in relation to the family in developed countries. Equally important changes took place in the values and attitudes of the family and the individual, with a noticeable shift in the fact that the element of society is no longer the family but the individual, which is clearly an open door to the breakdown of traditional gender roles. In the light of this perception, in most Western democracies, the direction of change today is towards the broadening of women's equality and, with it, the development of individual societies. However, this is not the case in Hungary. If we look at attitudes, we see a picture of a premodern, traditional and patriarchal society. However, if we look at people's real behavior in relation to gender roles and families, we see a modern country that fits into the ranks of European societies. Realities and value judgments about gender roles,

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<sup>6</sup> Gabriella Ürmösné Simon, *Egynyelvűek kommunikációja a nemek tükrében* [Communication of Monolinguals in the Light of Gender] in *Tavaszi Szél 2012: Tanulmánykötet = Spring Wind 2012 1* (Budapest: National Association of Doctoral Students, 2012).

<sup>7</sup> Dávid Víg, *Nemek és bűnözés* [Gender and Crime] in *Kriminológia Tankönyv* [Criminology Textbook] 662, 666 (Budapest: Wolters Kluwer, 2017).

<sup>8</sup> Gabriella Ürmösné Simon, *Hungarian-Greek Communicative Strategies in Respect of Gender* in *Mentális folyamatok a nyelvi feldolgozásban: Pszicholingvisztikai tanulmányok III = Mental Procedures in Language Processing: Studies in Psycholinguistics 3* 280 (Budapest: Tinta Könyvkiadó, 2012).

<sup>9</sup> Gabriella Ürmösné Simon, *Érák, szubkultúrák, szocializáció, férfi-kontra női agy a gendernyelvészet tükrében* [Era, Subcultures, Socialization, Male Versus Female Brain in the Light of Gender Linguistics], 15(2) Magyar Rendészet 151 (2015).



attitudes collide on almost every issue. It seems that the conservatism of the values of Hungarian society is also a kind of barrier to getting to know and accepting the role of gender in generating inequalities.<sup>10</sup> One of the achievements of this was the adoption by the Council of Europe of the “Action Plan on Gender Equality (2016–2020),” which also obliges Hungary to support the greater participation of women in social and political life.<sup>11</sup>

### **1.2. The Social Situation of Women in Hungary**

Examining the situation of women in Hungary is conceivable on several levels. First, at the level of legal regulation. And secondly, in an approach of a sociological nature. Examining the elements of the legal system, it is a basic provision that according to the Basic Law (Constitution) of Hungary, all people are equal, and any discrimination between the sexes is prohibited.

In the field of the exercise of fundamental rights, as in any other European state, the prohibition of discrimination is fully implemented. The same can be stated by reviewing the entire Hungarian legal system in force. In order to ensure that fundamental rights, such as gender equality not to be compromised, it is necessary to build a sufficiently effective system of protection of fundamental rights. Three elements of this are worth highlighting. The Constitutional Court monitors the constitutionality of legal norms and court decisions. Its role is to bring legal regulation and judgment into line with constitutional rules. If a legal norm or a court judgment violates the Basic Law, then the Constitutional Court has the right and obligation to annul them. Forms of enforcement are law enforcement and compliance. The mechanism for constitutional control of the law enforcement activities of the authorities is the Commissioner for Fundamental Rights. The Commissioner is called upon to investigate possible violations of the Constitution or suspicions thereof (constitutional malpractice) arising during the proceedings of state bodies. The commissioner’s tools are very wide-ranging, the most important of which is the report, which is also available to the public and is public.<sup>12</sup> In addition, it is possible for the Commissioner to make a recommendation or initiative to the decision-making body to remedy the breach. Another way of enforcing the law is legal compliance, when the law is applied not by state bodies in official proceedings, but by civil society actors in legal relations. As most social relations are legally regulated, enforcement is most widespread through legal compliance. The Equal

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<sup>10</sup> Ibolya Czibere, *Gender ABC*, at 21 (May 3, 2020), available at [https://szociologia.unideb.hu/sites/default/files/upload\\_documents/czibere\\_ibolya\\_gender.pdf](https://szociologia.unideb.hu/sites/default/files/upload_documents/czibere_ibolya_gender.pdf).

<sup>11</sup> EU Gender Action Plan 2016–2020, EUROPA (May 3, 2020), available at <https://europa.eu/capacity4dev/public-gender/wiki/eu-gender-action-plan-2016-2020>.

<sup>12</sup> Albert Takács, *Az alapvető jogok biztosa és a Nemzeti Adatvédelmi és Információszabadság Hatóság [Commissioner for Fundamental Rights and the National Authority for Data Protection and Freedom of Information] in Az állam szervezete [The Organization of the State]* 213 (A. Téglási (ed.), Budapest: Dialóg Campus, 2018).



Treatment Authority plays the role of guarding against the prohibition of discrimination caused by the operation of non-state authorities. However, the Authority is also entitled to examine whether public bodies, authorities or public service providers comply with the requirement of equal treatment. On the basis of all this, the protection of women's social equality seems to be protected by a sufficiently legal basis and a sufficiently strong institutional system. But this does not yet provide an answer to what is actually being experienced in this area in a given society. This requires a sociological study. It is clear from the authorities' proceedings that they are rarely approached for violating gender equality. This allows two conclusions. One is that there are really no serious problems in Hungary in this area, the other is that although there are, but women basically accept the existing order and they do not perceive the volume of the problem accordingly. Three areas are worth examining; the economic situation of women, their role in politics and, ultimately, in public life.

When examining their role in economic life, the wages of women's jobs, the position of women in the labor market and the proportion of female managers are considered. There are jobs that society typically sees as female work. This does not mean, of course, that men are excluded from these careers, but they have traditionally had female roles in society. This is indicated by the vernacular names of these jobs. The job of a kindergarten teacher is almost without exception mentioned by everyone only as a lady kindergarten teacher. But the same is in the nursing profession, where the nurse, or in the child protection system, where the health visitor suggests that these occupations are largely seen by society as female occupations. A similar situation is encountered in the field of public education, where the position of teacher cannot traditionally be considered a female occupation, because the male teaching faculty has a nice tradition, however, in the 21<sup>st</sup> century we meet the predominance of the female role in this career. It is true for all of the aforementioned jobs that they are among the highly underpaid jobs. The teaching profession has also become more feminine because the unfairly low level of teacher salaries does not allow men, who have traditionally been family breadwinners, to enter this career. Similar trends can be observed in different areas of the economy. There is also a kind of segregation in industry and the service sector, which, however, can be said to be on a declining trend compared to the period before the change of regime.<sup>13</sup> It is clear from this brief overview that society has a significant share of low-wage jobs for women. It is also true that within the same economic sector, women are under-represented in the upper and middle wage bands because they are less likely to be promoted.<sup>14</sup> However,

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<sup>13</sup> Márton Csillag, „Női munka” és nemek szerinti kereseti különbségek a késő szocializmustól napjainkig [“Female Work” and Gender Pay Gaps From Late Socialism to the Present Day] in *Munkaerőpiaci Tükör 2006* [The Hungarian Labour Market 2006] 100 (K. Fazekas & G. Kézdi (eds.), Budapest: Institute of Economics; National Public Employment Foundation, 2006).

<sup>14</sup> Anna Lovász, *A verseny hatása a női-férfi bérkülönbségre Magyarországon 1986 és 2003 között* [The Effect of Competition on the Gender Pay Gap in Hungary Between 1986 and 2003] in *Munkaerőpiaci tükör 2009*



there are some interesting observations in the characteristics of female and male unemployment. It is generally true that the unemployment rate for women and men is more favorable for men. At the same time, as a result of economic crises, this trend is reversed and more favorable data are encountered among women. This is primarily due to the phenomenon we referred to in their traditionally female jobs.<sup>15</sup> An interesting observation is the role of women in politics and administration. There are surprisingly few women politicians in Hungary by European standards. A total of 24 women sit in the 199-member parliament. Finding even worse proportions among state leaders. There are only 2 women in the 14-member government. At the level of state secretaries of state leaders, 11 out of 66 secretaries of state and 112 deputy secretaries of state find only 23 women. Examining the police among the administrative bodies, it can be seen that among the top heads of the police (including the national police chief and deputies, county police chiefs and heads of regional bodies) there is only 1 woman, while at the College of Police Officers and the proportion of police officers in its successor institution is around 40% on an annual average.

Based on all this, it appears that although the entire legal system believes in the equality of women, social practice does not follow this. Female-male stereotypes that male leadership is accepted remain strong. Moreover, in contrast to European trends, Hungarian family protection programs only reinforce this by the fact that the well-being of a family is greatly influenced by the number of children in the family. The fact that the three-child family model receives a highly – arguably disproportionate – subsidy compared to those with fewer children, as well as a non-refundable subsidy for buying a home, buying a car or even creating free family capital, makes it harder for young women to evade traditional female roles, according to which the social role of women is to be sought primarily in the family.

### **1.3. Female Deviances**

The definition of what constitutes deviance is not clear. For the purposes of this article, we will only examine alcoholism, drug use, and lifestyle-free public homelessness, despite acknowledging that deviance can be defined on a much broader spectrum. The number of deviant behaviors has shown a strong upward trend for 10 years since the change of regime. The reasons for this can be found in the moral disorder associated with the transition from socialism, which was based on

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[*The Hungarian Labour Market 2009*] 149 (K. Fazekas et al. (eds.), Budapest: Institute of Economics of the Hungarian Academy of Sciences; National Public Employment Foundation, 2009).

<sup>15</sup> János Köllő, *Nők a hazai munkaerőpiacon – Historikus adatsorok és trendek az elmúlt tíz évben: Aktivitás, foglalkoztatás, munkanélküliség és bérek* [Women in the Domestic Labor Market – Historical Data Series and Trends over the Last Ten Years: Activity, Employment, Unemployment, and Wages] in *Munkaerőpiaci tükrök 2017* [*The Hungarian Labour Market 2017*] 53 (K. Fazekas & A. Szabo-Morvai (eds.), Budapest: Research Center for Economics and Regional Studies of the Hungarian Academy of Sciences, Institute of Economics, 2018) (May 3, 2020), also available at [https://www.mtaki.hu/wp-content/uploads/2018/12/mt\\_2017\\_hun\\_39-201.pdf](https://www.mtaki.hu/wp-content/uploads/2018/12/mt_2017_hun_39-201.pdf).



a misinterpretation of the freedom image of Western culture, and the serious economic disturbances that led the lower middle class to become a backward people.

Moffitt et al acknowledge that deviant behavior patterns are more strongly present in the male population than in women. In general, however, they did not find a significant difference in the causes of male and female deviance, nor did they find it justified that women should cross a higher risk threshold. Three cases are described where there is no significant difference between women and men. They claim that the smallest difference is observed in puberty. They found that there is no significant difference between women and men in drug- and alcohol-related crimes. Extending the concept of violence sufficiently, they see that women are at least as characterized by relationship violence as men.<sup>16</sup>

The rate of alcoholism in Hungary has improved slightly over the last ten years, but even so, nearly 400,000 alcoholics are registered. The male-to-female ratio has been around 4: 1 for many years.<sup>17</sup> These data are unreliable, considering that alcohol consumption is legal on the one hand and the supply system is on the other hand with huge shortcomings. In this respect, it is a telling fact that the greatest shortage of doctors (54,3%) can be detected in this area.

If we address drug use in a sufficiently broad sense and include abusive drug use among the legally consumable drugs, we find that the proportion of women in this field is much higher than that of men (68%). At the same time, men are more likely to use illicit drugs (64%).<sup>18</sup> The last ten years of drug policy in Hungary have been characterized by a definite ban and punishment. Among other things, this has led to a shift in substance use towards so-called designer drugs. They are characterized by the fact that, due to their ever-changing composition, they are not on drug lists, but due to the same, even thixicologists cannot describe their exact mechanism of action. Typically, it has become a popular pleasure for lower social groups. These groups tend to be outside social care systems. Therefore, at most, the growing number of consumers can only be determined by careful estimates. The spread of new types of psychoactive substances is favored by the fact that they are extremely cheaply available, much cheaper than any alcoholic beverage. According to a survey conducted in Hungarian child protection institutions, there is no significant difference between the frequency of consumption of boys and girls, rather only motivations, while girls often resort to drugs to solve their anxiety or some kind of external influence, sometimes group pressure.<sup>19</sup> According to surveys of

<sup>16</sup> Terrie E. Moffitt et al., *Sex Differences in Antisocial Behaviour: Conduct Disorder, Delinquency, and Violence in the Dunedin Longitudinal Study* (Cambridge: Cambridge University Press, 2001).

<sup>17</sup> *Statisztikai Évkönyv [Statistical Yearbook]* (Budapest: Central Statistics Office, 2018).

<sup>18</sup> Miklós Lévy, *Az alkoholizmus, a kábítószer-probléma és a bűnözés összefüggései [The Links Between Alcoholism, the Drug Problem, and Crime]* in *Kriminológia – Szakkriminológia [Criminology]* 469 (K. Gönczöl et al. (eds.), Budapest: Complex Kiadó, 2006).

<sup>19</sup> Zsuzsa Kaló et al., *A gyermekvédelmi szakellátásba kerülő lányok szerhasználati tapasztalatai és kezelésbe kerülésük jellemzői egy kvalitatív kutatás tükrében [Experiences of Substance Use in Girls in Child Protection Care and Characteristics of Their Treatment in the Light of a Qualitative Research]*, 30(1) *Esély* 67, 76–77 (2019).





school-age children, almost all differences between boys and girls in cannabis use have disappeared. At the same time, boys turn to stimulants mainly.<sup>20</sup>

80% of the homeless in Hungary are men. So the same 4: 1 ratio is observed as in the case of alcoholism. Among the causes of gender disproportion, those working in the homeless care system see the different social perceptions of gender roles the most. According to this, men see themselves primarily as family breadwinners. Therefore, the loss of their job and earning potential is perceived as a much deeper failure and shame than women. Homelessness in their case is the result of their failure strategy. A kind of escape from the consequences of failure. But possible reasons include the fact that women are more welcome, which can be due to both sexual service and household chores.<sup>21</sup> Studies on the value system of the homeless living on the streets have shown that women are significantly less characterized by the value of hedonism. Accordingly, pleasures are less important to them than to male homeless people. Thus, in the case of female homeless people, alcoholism and drug use are significantly less present.<sup>22</sup>

The discrepancy between female deviance and the rate of female crime is due, among other things, to the fact that female crime is primarily characterized by non-violent acts. Police detection rates for property crimes are significantly lower than for severely violent crimes.<sup>23</sup> In the latter category, police reconnaissance indicators are particularly good, while in the case of less serious offenses, significantly more modest performance can be detected.

#### **1.4. Proportion of Women in Crime**

According to Hans Joachim Schneider, the indicator of the role of the weaker sex in total crime is around 10–20% in developed industrial countries, while it is 3–5% in developing countries.<sup>24</sup> The tendency of change was already noticed by the United Nations when the 1970 IV. and at its 5<sup>th</sup> Congress in 1975, found that female crime plays an increasingly important role in crime as a whole. Feminine crime has specific characteristics, so it is most worth observing what differences are the ones that show morphologically significant differences from male crime. The proportion of female offenders remained permanently below 15% in the decade before the change

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<sup>20</sup> Nemzeti Drog Fókuszpont 2019. évi jelentése 2018. Évről [2019 Report of the National Drug Focal Point for 2018] (May 3, 2020), available at [http://drogfokuszpont.hu/wp-content/uploads/EMCDDA\\_jelentes\\_2019\\_HU.pdf](http://drogfokuszpont.hu/wp-content/uploads/EMCDDA_jelentes_2019_HU.pdf).

<sup>21</sup> Péter Breitner et al., *Kérdések és válaszok a hajléktalanságról* [Questions and Answers About Homelessness] (Budapest: Menhely Alapítvány, 2002).

<sup>22</sup> Gergő Prazsák, *Marginális csoportok értékrendszerei* [Value Systems of Marginal Groups], 5(4) Kultúra és Közösség 117 (2015) (May 3, 2020), also available at <http://kulturaeskozosseg.hu/pdf/2015/1/09.pdf>.

<sup>23</sup> István Vavró, *Bűnözés és áldozattá válás* [Crime and Victimization] in *Szerepváltozások: Jelentés a nők és a férfiak helyzetéről* [Role Changes: Report on the Situation of Women and Men] 260 (T. Pongrácz & I.G. Tóth (eds.) Budapest: TÁRKI; Szociális és Családügyi Minisztérium Nőképviseleti Titkársága, 1999).

<sup>24</sup> Hans J. Schneider, *Kriminologie* 561 (Berlin; New York: Walter de Gruyter, 1987).



of regime (1978–1987) and then decreased to 10% in the years of the change of regime.<sup>25</sup> According to ENYÜBS, the proportion of female offenders has risen from 10 to 16–17% over the last two decades as a result of slow but steady growth. However, this still lags significantly behind their share of the population. In 2018, the number of registered female offenders was 8,788 (16.4%). While the absolute number of male offenders decreased from 114,544 in 1995 to 5,34860 in 2018, the number of female offenders decreased from 13,619 to 8,788. The decrease was 114% for men, while the number of registered offenders fell by only 55% for women, it should be added that the general decrease is in line with the modification of the Criminal Code. The study of the age tree illustrates the change in the social role of women much better. It is clear that the 17–59 age group is over-represented in relation to their proportion within the population, while the younger and older represent a smaller proportion. There is no difference between men and women, but the shape of the age trees draws attention to some important differences. Crime jumps significantly between the ages of 16 and 18, and then, after reaching its peak in young adulthood (in the 23–24 age group), begins to decline steadily, before declining significantly around the age of 65. The ages of the male offenders thus show a pyramid-shaped age tree. In the case of women, the age of offenders did not rise as high in 1995 as in the case of men, and in the last decade (since 2013) it can be observed that the peak age of women in the age group is 35–40 and is more delayed than for men.<sup>26</sup>

It is a striking phenomenon that the proportion of women in the total number of offenders has increased at a young age. At the age of 12–18, the number of men fell by 54% from the 1995 figure in 2018, while the number of women rose to 134% from twenty-three years ago. There were also significant differences in the crimes committed. In the case of fraud and perjury, women's participation in crime is higher than average, more than 25% and one-third, respectively. With regard to violent crimes, there is a clear predominance of men on the perpetrator side, but women appear in a significantly higher proportion in the facts of harassment and truculence. In the case of thefts, according to 2018 data, younger people over the age of 17 represent an average of around 20%, while in adulthood they represent only 10%. Women make up about 15–20% of those who commit bodily harm. It is an interesting phenomenon that the proportion of women in the legal facts of bullying, which is apostrophized as a fundamental crime of domestic violence, has been stable at around 30% in the last 5 years at the age of 24.<sup>27</sup> That is, the previous criminological paradigm that men start committing crime earlier seems to be refuted.<sup>28</sup>

<sup>25</sup> *Prostitúció, prostitúcióra kényszerítés, emberkereskedelem* [Prostitution, Coercion into Prostitution, Human Trafficking] 276 (L. Fehér & J. Forrai (eds.), Budapest: Nőképviselési Titkárság, 1999).

<sup>26</sup> Víg 2017.

<sup>27</sup> Bűnügyi Statisztikai Rendszer, 2020 (May 3, 2020), available at <https://bsr.bm.hu/Document>.

<sup>28</sup> Klára Kerezszi et al., *Kriminológia-Szakkriminológia* [Criminology] (Budapest: Wolters Kluwer, 2012).



## 2. Female Crime in Russia

### 2.1. Causes and Conditions of Female Recidivism

The number of women in Russian society who are characterized by strong antisocial views, a low moral and ethical level, socio-pedagogical neglect, deformation of ideas about acceptable forms of behavior, high anxiety, high emotional excitability, and demonstrative reactions in behavior is constantly growing. In comparison with men, women experience a much faster undermining of psychological patterns, connections and stereotypes. And in that case, if a woman got on a criminal path, then breaking out of the criminal role is much more difficult for her because of the female conformity. Repeated violation of criminal law prohibitions strengthens the antisocial nature of the woman's views, increases her level of criminal professionalism. The specifics of the sentence serving regime in the correctional facility is such that most of the time a woman communicates with other convicts and there is a permanent exchange of criminal experience.

Improving the effectiveness of the correctional process is one of the priority tasks in the activities of the penitentiary institutions, and "the final result of tackling this task is assessed by the rate of relapse of crimes, which becomes evident in 2–3 years."<sup>29</sup>

External factors of recidivism are the previous circumstances of a recidivist's life before the commission of the first criminal offense (or directly arising from them) and circumstances that have arisen as a result of the criminal offense of a recidivist or as a result of criminal penalties previously assigned to him or her.

The objective conditions of recidivism include the social environment in which the future recidivist existed and the circumstances that prompted him or her to violate the criminal law prohibition for the first time. Negative conditions of personality formation in childhood and adolescence have a persistent negative impact on recidivists that is difficult to correct, and often is not correctable, especially since such individuals were consciously or unconsciously drawn to their usual microenvironment in which they felt most comfortable.

Criminal behavior takes its roots from the situation in which repeat offenders grew up and received upbringing (or circumstances in which no one was purposefully involved in their upbringing at all). Many studies proceed from the fact that a social environment that does not have a positive example and demonstrates a vicious circle of an antisocial or criminal lifestyle does not give a chance to escape from it. In such an environment, as a rule, interpersonal violence, alcohol and drug abuse, parasitic lifestyle, unwillingness to study or work are not condemned. Such persons do not maintain

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<sup>29</sup> Пастушеня А.Н. Организационно-методическая модель включения осужденных в исправляющее обучение // Прикладная юридическая психология. 2017. № 2. С. 52–59 [Aleksander N. Pastushenya, *Organizational and Methodological Model for the Inclusion of Convicts in Correctional Education*, 2 Applied Legal Psychology 52 (2017)] (May 3, 2020), also available at <https://cyberleninka.ru/article/n/organizatsionno-metodicheskaya-model-vklyucheniya-osuzhdennykh-v-ispravlyayushee-obuchenie>.



positive relations with friends and relatives, preferring contacts with individuals similar to them or strangers who can provide them with alcohol and drugs. As a result, the return to the same environment after serving a sentence for the first crime eliminates all educational work carried out at detention facilities, and only develops and reinforces the negative personality traits of repeat offenders. As practice shows, the first criminal act also inevitably makes an impact on subsequent acts.

The external factors of female recidivism include the shortcomings of domestic law enforcement agencies in investigating crimes committed in our country, investigating criminal cases, imposing and executing criminal sentences. It is well known that the above areas of law enforcement do not fully implement the tasks set for them. Moreover, judicial errors are also possible, which also do not contribute to the correction of such persons and support the general repressive course of the entire law enforcement system in our country. For example, there are still errors in the practice of recognizing recidivism, as well as unreasonable references to expunged convictions. This is because judges misinterpret the clause "b" of part 4 of article 18 of the Criminal Code of the Russian Federation, which prescribes a rule according to which, when the fact of repeated offence is being established, criminal records for crimes committed by a person under the age of 18 do not count.

It should be emphasized that the predominant imposition of a sentence of incarceration in our country indicates the repressiveness of the criminal law and the entire domestic criminal policy. However, it is difficult to recognize the effectiveness of the Russian penitentiary system in terms of achieving the goal of correction of convicts. As far as is known, in the Russian Federation one of the most practiced punishments is imprisonment. In the structure of crime, the percentage of relapse is high. This fact indicates the inefficiency of the penal system, as the main goal of its activity is not fulfilled. The long isolation of convicted persons from a full-fledged life in society has a number of adverse consequences that are almost impossible to overcome afterwards: firstly, it weakens and sometimes even completely destroys those few socially useful ties that a person had before being convicted; secondly, adaptation to the imprisonment environment and the situation in the penitentiary takes place and causes quite specific difficulties in social adaptation after leaving the penitentiary in terms of labor, housing and domestic arrangements for the former prisoner.

External factors producing female recidivism after their being released from correctional institutions should include their status in employment. It should be noted with regret that currently the issue of employment in Russia is much more acute and painful for women than for men. Statistics show that the percentage of women among the unemployed (according to the methodology of the International Labor Organization) in December 2017 amounted to 46,8%. At the same time, the average duration of job search for unemployed women is longer and reaches 7,7 months, for men – 7,3 months. The stagnant nature of women's unemployment is also noted, as out of 1,4 million unemployed rural residents, 37,6% looked for work for a year or more.



The proportion of such people (looking for a very long time), out of the 2,5 million unemployed urban residents, amounted to 24,3%. It should also be noted that more than half of women recognized as unemployed belong to the age group of 30–49 years, i.e. from the point of view of criminology, the most criminogenically active age.

The modern Russian economy is characterized by an extremely unfavorable process of precariatization which is reflected in the dynamic and structural indicators of the spread of irregular employment among citizens, including women.<sup>30</sup> Such a format of informal employment, the variability of labor relations often causes women to experience a state of psychological distress. Most often, poorly educated women are involved in this process. B.V. Alexandrov fairly points out that profession and education are “integral components of resocialization.”<sup>31</sup> Although many traditionally “female” specialties and economic sectors of retail trade and services in our country do not require a high level of education, it is much more difficult for a woman who has served a sentence in prison to be employed than a woman without a criminal record.<sup>32</sup> According to the current Russian legislation, a criminal record is a legal basis for refusal to employ in the field of education, medicine, social protection and leisure, implying interaction with minor children (Art. 351.1 of the Labor Code of the Russian Federation), as well as for work involving pedagogical activity (part 2 of Art. 331 of the Labor Code of the Russian Federation).

We believe that efforts aimed at improving the living conditions in correctional facilities are no longer enough to fully observe the rights of prisoners, including women.<sup>33</sup> The reality is that women in prison, especially for quite long periods of imprisonment, are completely excluded from the digital economy. Thus, in the era of large-scale implementation of information and communication technologies in everyday life, they turn into the most backward group of the country’s population. Many of the women serving their sentences in correctional institutions do not already know how to interact with other people in ways that every day are becoming more

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<sup>30</sup> Клименко Л.В., Посухова О.Ю. Гендерные аспекты прекариатизации труда в российском обществе // Женщина в российском обществе. 2017. № 1(82). С. 29–40 [Lyudmila V. Klimenko & Oksana Yu. Posukhova, *Gender Aspects of Precariatization of Labor in Russian Society*, 1(82) Woman in Russian Society 29 (2017)].

<sup>31</sup> Александров Б.В. Мотивация осужденных к труду как одно из условий их ресоциализации // Прикладная юридическая психология. 2019. № 1(46). С. 77–83 [Boris V. Alexandrov, *Motivation of Convicts to Labor as One of the Conditions for Their Re-Socialization*, 1(46) Applied Legal Psychology 77 (2019)].

<sup>32</sup> Кобец П.Н. Совершенствование механизма института условного осуждения в современной России // Уголовно-исполнительная система: право, экономика, управление. 2009. № 4. С. 11–14 [Peter N. Kobets, *Improving the Mechanism of the Institution of Probation in Modern Russia*, 4 Criminal Executive System: Law, Economics, Management 11 (2009)].

<sup>33</sup> Кобец П.Н., Краснова К.А. Международный опыт и практика применения пожизненного лишения свободы // Уголовно-исполнительная система: право, экономика, управление. 2008. № 5. С. 35–41 [Peter N. Kobets & Kristina A. Krasnova, *International Experience and Practice of the Application of Life Imprisonment*, 5 Criminal Executive System: Law, Economics, Management 35 (2008)].



common and matter-of-course for everyone, such as the exchange of messages, photo and video materials through social networks, instant messengers, making video calls, reading printed and electronic products with elements of “augmented” reality.<sup>34</sup> It seems difficult to predict the “digital” skills that they will not receive and from which achievements of the digital economy will be completely isolated in the coming years, while the current requirements for the regime of imprisonment are maintained. A content analysis of the latest criminological publications indicates that there are less and less supporters of such a restriction as the ban on prisoners’s access to a computer, means of communication and information and telecommunication networks.<sup>35</sup> According to foreign criminologists, in a dynamically changing world, criminal punishment, accompanied by a long term of imprisonment, leads only to the social exclusion of a prisoner.<sup>36</sup>

## **2.2. The Psychological Background of Female Relapse**

The criminological literature notes the peculiarities of the psychology of women, which contribute to the commission of crimes by them, both for the first time and repeatedly. First of all, we are talking about earlier puberty and the psychological maturation of females, which is often accompanied by the acquisition of negative sexual experience. According to several authors, the psychological state of 89% of women is affected by episodes of an unplanned pregnancy, infection with sexually transmitted diseases, hepatitis C, and HIV infection.<sup>37</sup> The psyche of women is also negatively affected in cases of rape, especially at the beginning of sexual activity. Women are also distinguished by increased irritability, falling under the influence of authoritarian friends and acquaintances, negative group moods.

Women who have served their sentences of imprisonment inevitably face the problem of finding a job. The social status of these women has deteriorated and become so complicated that they face new problems after their release. It should be noted their insufficient qualification level, low motivation to work, poor health,

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<sup>34</sup> Кобец П.Н. О современных информационных технологиях, используемых экстремистскими и террористическими группировками, и необходимости противодействия киберпреступности // Вестник развития науки и образования. 2016. № 6. С. 4–9 [Peter N. Kobets, *On Modern Information Technologies Used by Extremist and Terrorist Groups, and the Need to Counter Cybercrime*, 6 Bulletin of the Development of Science and Education 4 (2016)].

<sup>35</sup> Жестеров П.В. Резервы уголовной репрессии при взаимодействии уголовно-исполнительной системы с институтами гражданского общества // Российская юстиция. 2018. № 11. С. 55–58 [Pavel V. Zhesterov, *Reserves of Criminal Repression in the Interaction of the Penal System with Civil Society Institutions*, 11 Russian Justice 55 (2018)].

<sup>36</sup> Yvonne Jewkes & Bianca C. Reisdorf, *A Brave New World: The Problems and Opportunities Presented by New Media Technologies in Prisons*, 16(5) Criminology & Criminal Justice 534 (2016).

<sup>37</sup> Коломытцев Н.А., Одицова Л.Н. Этика права и проблемы женской преступности в России // Lex Russica. 2018. № 10(143). С. 146–156 [Nikolay A. Kolomytsev & Lubov N. Odintsova, *Ethics of Law and Problems of Female Crime in Russia*, 10(143) Lex Russica 146 (2018)].



a tendency to inadequate behavior and violation of labor discipline, in connection with which “they are less in demand by employers, more often at risk of dismissal and discrimination in hiring.”<sup>38</sup> According to O.I. Sochivko, “often the conditions of correctional institutions cause dynamic changes and behavioral changes in female prisoners with personality disorders under the influence of psychogenic, sociocultural factors,” which also makes their resocialization even more difficult.<sup>39</sup> In women, as compared to men, there is a rapid undermining of psychological patterns, connections and stereotypes. Female conformity causes the tendency of women to personal degradation (alcoholism, drug addiction), in connection with which a woman is more easily involved in a lifestyle without commitments or obligations. Such important values for a woman as children, family and work become secondary, which contributes to her asocial lifestyle.

The main factor in the manifestation of the illegal behavior of women recidivists is a violation of economic consciousness. The conditions supporting the deformed consciousness of women in the economic sphere are unfavorable trends in the Russian economy: the closure of institutions and enterprises in various sectors, the growth of unemployment, inflation, the growing social stratification of society, the continuous rise in prices for food, medicine, tariffs for utilities and travel on all types of transport, inaccessibility for the vast majority of Russians of sanatorium and resort treatment and family vacations, both within Russia and abroad, a growing credit burden on households. Most women commit deliberate profit-motivated due to bad living conditions, from the realization that there is no other way to survive for them. For women, the motivation of physical survival and providing the minimum physical and domestic needs for themselves, children and other relatives prevails. These circumstances inevitably lead to the loss of meaning of life due to failed expectations, despair, a sense of hopelessness. Many of them are characterized by propensity towards conflict in a group, general demoralization, family conflicts.

## Conclusion

Adhering to the socio-psychological concept of causality of crime in the study of the internal factors of female recidivism, we conclude that, to a large extent, the recidivism in women after being released from correctional facilities is caused by

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<sup>38</sup> Горкина С.А. Система исправительных технологий работы с осужденными как основа для успешной ресоциализации осужденных (на примере УФСИН России по Томской области) // Прикладная юридическая психология. 2017. № 3(40). С. 141–145 [Svetlana A. Gorkina, *The System of Correctional Technologies for Working with Convicts as the Basis for the Successful Re-Socialization of Convicts*, 3(40) Applied Legal Psychology 141 (2017)].

<sup>39</sup> Сочивко Д.В., Щелкушкина Е.А. Психодинамика гендерной самоидентификации осужденных мужчин и женщин // Прикладная юридическая психология. 2017. № 2(39). С. 33–42 [Dmitry V. Sochivko & Ekaterina A. Schelkushkina, *Psychodynamics of Gender Self-Identification of Convicted Men and Women*, 2(39) Applied Legal Psychology 33 (2017)].



deformations of the moral, legal and family components of her personality. A further increase in the proportion of female criminals in the overall correctional structure is predicted. Preventive measures against women recidivists should not be considered separately from the general improvement of the moral climate in society, urgent solutions to the problems of women who have found themselves in a difficult life situation due to the loss of work, housing, provision of real (and not just declared) support for motherhood and childhood. The aspirations are therefore mostly on the part of the more developed Western European countries in order to achieve "gender balance." The development and implementation of measures to prevent female crime should be based on the cooperation of law enforcement agencies and civil society institutions. We consider it expedient to organize forecasting of the results of the convicted woman's stay in the penitentiary institution and modeling of her further resocialization in the context of a growing digitalization of society.

### References

Jewkes Y. & Reisdorf B.C. *A Brave New World: The Problems and Opportunities Presented by New Media Technologies in Prisons*, 16(5) *Criminology & Criminal Justice* 534 (2016). <https://doi.org/10.1177/1748895816654953>

Köllő J. *Nők a hazai munkaerőpiacon – Historikus adatsorok és trendek az elmúlt tíz évben: Aktivitás, foglalkoztatás, munkanélküliség és bérek [Women in the Domestic Labor Market – Historical Data Series and Trends over the Last Ten Years: Activity, Employment, Unemployment, and Wages]* in *Munkaerőpiaci tükrök 2017 [The Hungarian Labour Market 2017]* 53 (K. Fazekas & A. Szabo-Morvai (eds.), Budapest: Research Center for Economics and Regional Studies of the Hungarian Academy of Sciences, Institute of Economics, 2018).

Prazsák G. *Marginális csoportok értékrendszerei [Value Systems of Marginal Groups]*, 5(4) *Kultúra és Közösség* 117 (2015).

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