

WOMEN

Women, Crime and Incarceration: Exploring Pathways of Women in Conflict with the Law

Research Paper

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This paper aims to inform policy-makers, researchers and development practitioners in South Africa in building the evidence-base and its use in policy-making to address poverty and inequality. It is supported by the Programme to Support Pro-Poor Policy Development (PSPPD), a partnership between the Presidency, the Republic of South Africa and the European Union. For more information about the PSPPD go to www.psppd.org.za



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Acronyms

INTRODUCTION

1 INTRODUCTION

What we know about crime, justice, and punishment in South Africa is based almost entirely on frameworks that have been developed to explain the experiences of men. It is widely accepted that, in comparison to literature on the reasons why men engage in criminal offending, there is a paucity of research aimed at understanding the reasons why *women* engage in criminal offending (Grella et al., 2005; Moloney et al., 2009), and more specifically historical factors that influence offending behaviour. Moreover, almost nothing is known about women incarcerated anywhere on the African continent (Hoffman-Wanderer, 2007; Haffejee et al., 2005; Vetten, 2008).¹ What little is known about incarcerated women in South Africa suggests that they are among the most socially and economically vulnerable members of South African society.² Their backgrounds – marked as many of them are by violence, extreme economic deprivation, and household disruption – point to longstanding failures of social policies to adequately address the needs of poor women. The specific vulnerabilities that these women experience, however, and the ways in which these vulnerabilities interact with other risk factors and shape the specific contexts in which women choose to commit crimes, are not sufficiently known or understood. Understanding these distinctive experiences and the needs of women in prison are crucial for the formulation of effective and humane responses to women's crimes and to minimising the damaging effects of incarceration on children, households and communities.

It is for this reason that in 2009, the Gender, Health and Justice Research Unit embarked on a study to explore the reasons why women come into conflict with the law and end up in prison. We established

the Pathways Project, an innovative, multi-method project designed for women's prison settings. Moving beyond classical criminological studies on prison – where positivist survey methods still dominate – our methods culminated in 55 in-depth narratives of women incarcerated in the Western Cape, South Africa. The 'theoretical aim' of this project was to highlight the distinctive nature of female criminality, thereby shifting attention from the all-male focus on crime that has characterised most South African criminology (to date). The study aimed to generate new knowledge around women, crime and incarceration and to contribute to the formulation of more effective and appropriate correctional policies that take into account the particular context that shapes female criminality and the specific factors that inform women's experiences of incarceration.

This paper presents a selection of findings based on the study *Hard Time(s): Women's Pathways to Crime and Incarceration* (Artz, Hoffman-Wanderer and Moul, 2011).³ The following section sets out the theoretical framework that guided this research and provides an overview of the prison system and female incarceration in South Africa. The paper then moves to a brief description of the research methodology, followed by a presentation of socio-demographic findings. The qualitative findings, which are the primary focus of the paper, are then presented and discussed in five thematically organised sections, including parenting, traumatic events and significant losses, child sexual abuse, domestic violence, caretaking and responsibility. The paper ends with a conclusion which highlights some of the theoretical insights that have emerged from this project.

1 There are only a few studies of female criminality and/or on women in prison from other African countries. See, for instance, Modie-Moroka (2003) and Tibatemwa-Ekirikubinza (1999).

2 According to the Judicial Inspectorate of Prisons (2004), for example, 58% of women incarcerated in 2004 were unemployed prior to incarceration and the majority of those who were employed (64%) were earning less than R 1 000 per month. See also Haffejee, Vetten & Greyling (2005) regarding incarcerated women's experiences of violence and abuse.

3 Artz, L., Hoffman-Wanderer, Y., and Moul, K., 2011. *Hard Time(s): Women's Pathways to Crime and Incarceration*. Cape Town: GHJRU, University of Cape Town.

BACKGROUND

2 BACKGROUND

2.1 Pathways and “Context”

Criminological literature (from Anglo-American developed contexts) on pathways to crime has identified factors that impact long-term patterns of offending, including those life-altering events that influence an individual to commit crime (or to desist). These theorists underline the importance of family structural context; marriage/significant relationships; employment and residential change, and – for juveniles – the role of school, peers and siblings (Farrington, 2003; Sampson & Laub, 1993, 2005a, 2005b; Laub & Sampson, 2003). Feminist analyses have identified those factors that are especially salient for women, including the importance of coerced or incestuous sex during and after childhood, intercourse at a young age, abandonment, substance abuse, a lack of parental guidance, inconsistent and physically injurious punishment by parents; a lack of positive (good) relationships with men, poverty, and marginality as factors that are uniquely experienced by women, and that combine to produce pathways to criminality (Belknap, 2001; Belknap and Holsinger, 2006; Chesney-Lind and Rodriguez, 1983; Daly, 1992; McClellan et al., 1997; Reising, Holtfreter and Morash, 2006). There is a growing body of scholarship that argues that understanding women’s criminality (and men’s criminality) requires an account of stressful life events and extensive family dysfunction that goes beyond childhood experiences (Carlson & Shafer, 2010). and often include both childhood and adult physical and sexual abuse, substance use, and other stressful life events such as significant losses (Carlson & Shafer, 2008; DeHart, 2008; Greene, Haney and Hurtado, 2000; Browne, Miller and Maguin, 1999).

Wesley (2006) understands this range of factors as the “context” of women’s lives – the complex nexus of events and conditions that make up lived experience – and looks at the ways in which the particular circumstances within which women live impact on their decisions to commit crime. The crux of Wesley’s argument is that women experience (and endure) a range of different events and institutional barriers and that these combine in multiple ways to affect their options of livelihood, coping strategies (including violence) and survival. She argues that to understand

women’s criminality more adequately requires taking a more multidimensional approach “that encompasses the gendered complexity of women’s realities and allows for a more in-depth understanding of the nuances of their violence.” (2006:306) She holds that (life) events are powerful personal experiences for women, but that they shouldn’t be “cleaved apart from the contexts that structured the environments of inequality and disadvantage” (2006:309) in which women grow up. She argues that women’s “lived experience” (2006:304) includes backgrounds of powerlessness, gender-specific sexualisation and exploitation, economic vulnerability and destitution, and social alienation and exclusion. Although these factors are not unique to women and girls, they are uniquely experienced by women, and work together to set them up with social, behavioural and emotional deficits that impact and shape their later life decisions and choices, including criminality.

This paradigm emphasises the interconnectedness of events in women’s lives, and does not attempt to “pin” causation onto isolated life events. Wesley’s context framework also works against the suggestion that there is an “enduring reality” (2006:304) – a singular pathway to crime – that can be applied across women (and environments). Context, then, becomes the confluence of factors that shape and constrain the strategies and choices made by women. We draw on this framework to identify the important family, relationship and trauma issues that come through in the lives of the women in our sample, and to understand how they perceived their own trajectories towards crime.

2.2 The state of prisons and imprisonment in South Africa

In the last two decades, the prison system in South Africa has been transformed from a segregated and militarised penal system to a correctional system that is consistent with democracy and aims to protect the basic rights of all citizens as entrenched in the 1996 Constitution. This process of transformation has been guided by two White Papers published by the Department of Correctional Services (hereinafter

“DCS” or “the Department”) in 1994 and 2005, and by the new legislation enacted by Parliament, in particular the Correctional Services Act, 111 of 1998 (the “Act” or “CSA”). The White Paper recognises many challenges that the Department faces in realising its vision. Among these are the state of DCS facilities, overcrowding, and the needs of special categories of offenders, including women. Currently, there are 241 prison facilities in South Africa. According to DCS statistics (as of February, 2011), these facilities are designed to accommodate 118 154 sentenced prisoners and a further 25 000 awaiting-trial detainees, whereas the number of inmates housed in these facilities in practice is a total of 162 162, of which 49 695 are awaiting trial. Prison facilities in South Africa are thus overcrowded at a current level of 137.25%.

Out of a 90-page White Paper document, only a few paragraphs are devoted to the needs of women as a “special category of offenders” and two of these relate to the needs of mothers of children. Although the Paper notes that “rehabilitation processes must also be responsive to the special needs of women” (DCS, 2005:64) and that the Department’s “approach to Gender will inform the management of female offenders” (DCS, 2005:68) the Paper provides very little insight as to what those special needs are or what impact gender will or should have on the management of female offenders. The only specific issues mentioned in relation to women are the obligation to incarcerate women as close to their homes as possible and the obligation to provide women with development opportunities on a non-discriminatory basis (DCS, 2005). For mothers of young children, the Department recognises the need to provide appropriate crèche facilities and mother-child units, as well as an appropriate environment for visitation, for those children not living with their mothers.

The female prison population

There are approximately 4 000 women imprisoned in South Africa, including sentenced women and those who are awaiting trial.⁴ These women constitute 2.3% of the overall prison population in South Africa. This is similar to the proportion of female prisoners in other African countries, where the continental median is 2.65% (Walmsley, 2006), and lower than the proportion of women and girls in prisons in the Americas and Asia, where the median is 5.3% and 5.4% respectively, and in prisons in Europe and Oceania, where the median is 4.4% and 4.8% respectively.

There has been significant fluctuation in the rate of female incarceration in South Africa during the last decade and it is difficult to identify a clear trend. According to the 2009/10 Annual Report of the Judicial Inspectorate of Prisons, there was a 30% drop in the rate of awaiting trial female prisoners and a 17% drop in the rate of sentenced women between 2003 and 2010. This can be partially attributed to the release of 853 women in “Special Remissions” in 2005. Statistics from DCS, however, show an increase of approximately 10% in the number of both sentenced and unsentenced female inmates between January 2007 and February 2011.⁵ While we should be concerned about this increase, it is very low compared to increases in the rate of female incarceration in countries such as the United Kingdom and the United States, with an increase in the number of women prisoners in England and Wales of approximately 170% between 1993 and 2006 and an annual rate of increase in the United States of 4.6% between 1995 and 2005 (Godin and Kendall, 2006).

Only eight of the prison facilities in South Africa are female-only correctional centres, while 91 facilities have special sections for female inmates. According to DCS, the largest percentage (45.2%) of female inmates are in prison in relation to economic crimes, with the percentage of women convicted of “aggressive” crimes a close second, at 36.6% (Oppler, 1998). The remaining 18.2% of female offenders are incarcerated for narcotics crimes (10%), sexual crimes (1%), and “other” (7.2%) (DCS, 2011). These statistics reflect a very high proportion of aggressive crimes in comparison to the United States, for instance, where violent crimes committed by women make up only 10-15% of female offences (Huebner et al., 2010; Holtfreter et al., 2004; Folsom and Atkinson, 2007). In this regard, O’Donovan and Redpath (2006) have noted – in relation to men and women in South Africa generally – that “the evidence suggests that lesser offences are being ‘crowded out’ in courts and prisons by more serious offences and offences that attract heavy sentence” (2006:64). The applicability of this claim to women, however, requires further research. Given the high level of aggressive crimes, it is not surprising that women in South Africa also serve much longer sentences than women incarcerated in countries like the US and the UK. Women in South African prisons serve an average sentence of nearly six years (JIP 2004), whereas most women incarcerated in the United Kingdom in 2009, for example, served a sentence of 6 months or less (Prison Reform Trust, 2010).

4 To be precise, 3 762 female inmates, including sentenced and unsentenced prisoners, as of February 2011 (DCS, 2011).

5 The number of sentenced women grew from 2 410 in January 2007 to 2 663 in February 2011 and the number of awaiting trial female prisoners grew from 994 to 1 099 during the same period (DCS, 2007; DCS, 2011).

METHODOLOGY

3 METHODOLOGY: “THE PATHWAYS PROJECT”

We aimed to develop a creative methodological design that did not treat participants as “research subjects”, a design that would move beyond the obligatory in-depth interview; one that would explore different dimensions of women’s lives and force us to draw on the physical techniques and analytical contributions from other disciplines. Most importantly, a design that would draw on incarcerated women’s subjective experiences to build alternative knowledge about women and crime.

The project took place in two prisons, Pollsmoor Prison and Worcester Prison (both in the Western Cape), and had distinct phases. The first phase consisted of a number of rapport-building exercises so that we could get to know the women in prison better and secure their trust in ourselves and our research process. This rapport-building process involved orientation sessions at both prisons, focus group discussions about the project, and a documentary film about incarcerated women. Once women were recruited for the study, we engaged in activities such as “life-mapping”, journal writing, and the creation of a prisons dictionary.⁶ The second phase consisted of a brief demographic and life history survey of 55 female prisoners, followed by one-on-one, in-depth interviews with these women.⁷

The first activity – the screening of the documentary – was further designed to initiate a conversation about women, crime and incarceration and to begin to create a safe-space in which an exploration of these issues could take place. Through a discussion of characters in a documentary film, the researchers hoped that participants would begin to reflect on their own life histories and experiences of imprisonment. The life-mapping activity asked the women to focus more openly on their own experiences, but allowed them to do this alone. For this exercise, the participants were asked to identify important turning points in their lives and to

represent visually the tangible and intangible impacts these experiences had on the courses their lives took and on their paths to incarceration. In the “journalling” stage we encouraged women to write on or draw about certain themes in their lives. The goal of this exercise was to develop and deepen further the participants’ understandings of their pathways, as represented in their life-maps, by focusing on particular aspects of their lives. During this exercise, women were also asked to reflect upon the experience of incarceration and on the changes this has wrought in their lives, as well as their hopes for the future. Thematics for writing included, for instance: “childhood”, “a favourite song and its meaning” to the prisoner, “a critical life-altering moment”, “fondest memory”, “first night in prison”, “longing for” and “the future”.

In the final and central stage of the research process, our commitment to the prisoners was to create an environment where they could tell their own stories, in a private space, in their own words, uninterrupted, apart from a few questions of clarification. In discussing this process with them, they encouraged us to ask a few key questions to help them “organise” their narratives and to see whether there were any similarities in their stories. The in-depth interviews thus explored a range of questions, beginning with “how did you end up in prison” and ending with thoughts about the future. Other key themes included: family and intimate relationships, childhood, turning points, impact and experience of incarceration, prison conditions and personal reflections. Each interview, however, was shaped and driven by the woman telling her particular story, in such a way that each narrative focuses on those aspects of her experience that she felt were salient and reflects the way in which each woman made sense of the events in her life.

⁶ In practice, for a variety of reasons, additional activities were implemented during this phase.

⁷ The sample (n=55) consisted of 37 women from Worcester Female Correctional Centre (67% of the total sample) and 18 women from Pollsmoor Female Prison (33%). The majority of the women fell into the age groups of 18-29 years (33%) and 30-30 years (31%), with 23% of women between the ages of 40-49 and 13% being 50 years and older.

4 SOCIO-DEMOGRAPHIC FINDINGS

One of the study's (various) data collection instruments was a brief, self-report survey administered to the women before the in-depth interview, which collected profile information on the individuals within the study sample. Information gleaned from the survey provided important background on the lives of the individual women which helped direct researchers' questions and topics discussed in the interviews. The survey was comprised of four main sections including (i) demographic information, (ii) life before coming to prison, (iii) childhood and growing up, and (iv) criminal history. The questions within each section covered topics such as quality of life, childhood physical and sexual abuse, feelings of safety in the home and community, family and children, work history, home life, crime and incarceration, and involvement in prison programmes. We will present selected findings from this survey here. It is important to note, however, that these survey findings provide only a brief sketch of who our respondents were and where they "came from". The description is selective and perfunctory and aimed at providing a backdrop to the qualitative findings presented in the latter part of the paper.

4.1 Age and race

The sample (n=55) consisted of 37 women from Worcester Female Correctional Centre (67% of the total sample) and 18 women from Pollsmoor Female Prison (33%). The majority of these participants were coloured women (46%) between the ages of 18 and 40 (64%).

The racial profile of these women differs from the national female offender racial profile in 2008, where the female sentenced offender population was predominantly black followed by coloured and then white (DCS, 2008).⁹ It is worth noting, however, that racial profiles in the general population in the Western Cape are different from the national profile.

4.2 Social factors

Recognising the limitations of, and indeed the highly gendered nature of, conventional social indices such as "household income" and "crime rates", we approached these social factors by inquiring about women's lived experiences and perceptions of their social and physical security. Questions about poverty, access to food, and feelings of safety in the home (and within the community) were asked in order to see how the women experienced and perceived their surroundings while growing up.

Family household: Growing up

Half of the women indicated that they felt poorer relative to others in their neighbourhood while growing up, while only 7% thought that they were better off.¹⁰ Twenty-six per cent reported that people in their household went hungry owing to a lack of food. The average number of people living in a respondent's household growing up was seven people, with 4% of women growing up in a household of 16 or more people.¹¹

AGE DISTRIBUTION			
18–29 years	30–40 years	41–49 years	50 and over
33%	31%	23%	13%
RACIAL DISTRIBUTION			
Coloured	White	Black	Other ⁸
46%	24%	19%	7%

8 The 'other' category included women who self-reported that they were Spanish/Hispanic (n=1), Muslim (n=2), and Latin American (n=1).

9 2008 sentenced female offenders by racial group: 71% African, 19% coloured, 2% Indian/Asian, and 9% white.

10 Data missing in one case (2% of the sample).

11 Data missing in two cases (4% of the sample).

HIGHEST LEVEL OF EDUCATIONAL ATTAINMENT						
No Formal Education	Some Primary School	Some High School	Matric	Some Tertiary	Completed University/College	Technical/ Trade School
2%	11%	42%	9%	14%	5%	2%

Family household: Adulthood

Similarly to the way in which the women perceived their poverty status growing up, approximately half (51%) of the women perceived themselves as being poorer, relative to others in their neighbourhood, prior to incarceration. Household hunger owing to lack of food was “often” a reality for approximately 8% of the women prior to their incarceration.

Our qualitative findings, however, reveal that incarcerated women often lived in conditions of structural poverty not indicated only by the absence of food in their homes, but also by education levels, employment attainment and the physical environments in which they lived and socialised. In some instances, women who came from poor families lived in communities that increased their social vulnerabilities and encouraged criminal involvement. Several spoke of neighbourhoods and school environments that encouraged criminal activity, including gang involvement. Loli, for example, described how common and accessible drug-dealing was in the township where she lived: “...It’s the township style. Everyone in the township is selling; people live the way they want to live. And then you think ‘Maybe it will be good for me too’”.

Education

Forty-two percent of the women in our study had achieved some high school (but not Matric) as their highest level of education.

Although a 2009 Household Survey points to the inability to pay school fees as the primary reason for the failure of youth to attend school (Stats SA, 2009), only one woman in our sample indicated this as the reason for dropping out of school. Other women reported that their

family’s lack of financial resources (for example, for food and electricity necessary for studying) and inability to purchase school supplies (for example, books and uniforms) infringed on their success at school. The story of *Nwabisa* illustrates this point:

I did Standard Eight and I passed. I did Standard Nine and I failed in 1998. And it was these financial problems. At home there was no...there wasn’t even soap for washing uniform. Sometimes there’s not even food at school. When you want to study, there’s not money for electricity.

Other common reasons given for not continuing education included a lack of money, traumatic life events, having a child, and moving. Two women dropped out of school after experiences of rape while two other women left after the death of family members. Other women had to sacrifice their education entirely, or had little time to devote to their studies, because they had to help at home, while their mothers, parents and sometimes brothers worked to support the family. While this clearly impacted on employment opportunities later on, it also shaped the choices (or absence of choices) women could envision for their lives in other ways. Our findings therefore suggest that limited access to education may further perpetuate circumstances of poverty.

Employment

Half of the respondents had permanent or regular jobs before going to prison, and 28% reported having no work at all.¹² Twelve women (22%) indicated that they had done work for which they received no pay.¹³ Upon release, about half (45%) of the women reported that they had a job or work to which they would like to return.

AGE OF BECOMING A MOTHER		
10–15 years old	16–20 years old	21–29 years old
7%	45%	48%

12 Seventeen percent reported having had part-time / temporary work and five percent reported having had work “once in a while”. Data missing in one case (2% of the sample).

13 Types of unpaid work reported included: food kitchen, helped family members, watched other people’s children, painted, teacher, projects that helped inmates, community worker, worked at an elderly home, worked with youth at a church, and worked at a church food bank.

Marriage, sex and children

Thirty-five percent of the women in our study were married or in a long-term partnership and over a third of women (37%) had never married/were single.¹⁴ Seventy-five per cent of the women in the study sample had children; 7% of these women had become mothers at the very young ages of 10-15 years.¹⁵

Drug and alcohol use

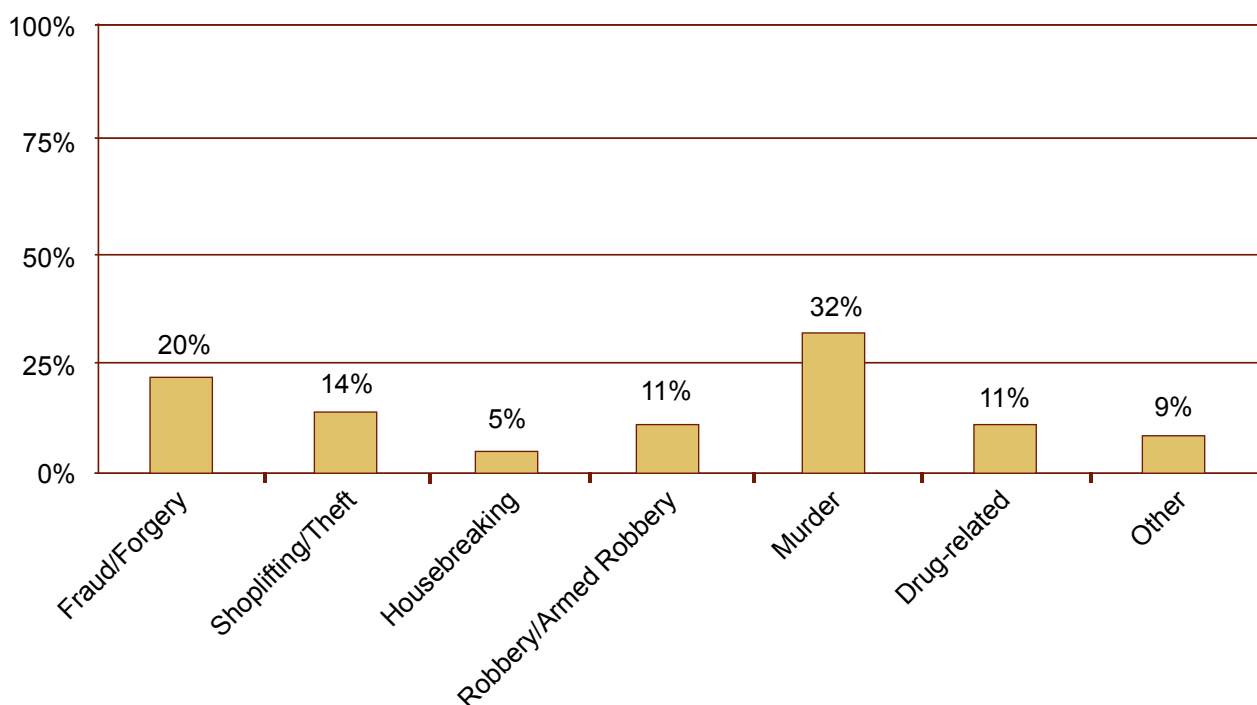
Alcohol use was reported among the majority of women (72%), with 16% reporting frequent use.¹⁶ Reported drug use was much lower, with 70% of respondents reported never having used drugs. Of the women reporting drug use, most (44%) started using at the ages of 11–15 years.¹⁷

Offences

For 74% of respondents, their incarceration at the time of the study was their first time in prison.¹⁸ Murder was the most reported offence for these women at 32%, with fraud/forgery as the second most reported at 20%.¹⁹ It is important to note, however, that 76% of our sample came from Worcester – a facility with longer-term sentenced prisoners.

The average sentence of the study participants was 8 years 6 months.²⁰ For over half (54%) of the respondents this was their first arrest, while another quarter (26%) had been arrested once before.²¹

Figure 1: Offences as Per Criminal Records Classification



DISTRIBUTION OF SENTENCES ²²					
1–5 years	6–10 years	11–15 years	16–20 years	21–25 years	25+ / Life
39%	35%	9%	6%	2%	9%

14 Four women checked two or more categories on their marital status. Remaining responses: 15% divorced, 3% other, and 2% separated.

15 Data missing in 1 case (2% of the sample). Women in their 20s age at first child: 38% 21–25 years and 10% 26–30 years.

16 Data missing in 1 case (2% of the sample).

17 11% reported using drugs ‘often’. Data missing in 1 case (2% of the sample).

18 Data missing in 1 case (2% of the sample).

19 Remaining offences for current incarceration: 6% each for shoplifting and drug trafficking; 5% housebreaking; 3% each for drug dealing and robbery; 2% each for drugs, forgery, hijacking, rape, attempt of kidnapping, conspiracy to commit murder, conspiracy to commit offence. Note: some women were charged with multiple counts.

20 Excluding the life sentences as outliers.

21 Data missing in 9 cases (16% of the sample)

22 The 25+ / Life Sentence category is comprised of 3 life sentences, a 35-year sentence, and a 30-year sentence.

Previous offences spanned the gamut from more to less serious, and included: armed robbery, murder, common assault/assault, hijacking, housebreaking, drugs, fraud, theft, possession of firearm, shoplifting, and disturbing the peace.

Family members in prison

Almost half (47%) of the women reported that they had family members who had previously been incarcerated.²³ Brothers were the most commonly reported family member with previous incarcerations (28%). Two (5%) of the women had daughters who had been incarcerated.²⁴ Almost a third (27%) had a few friends with previous incarcerations.

Relevance of survey findings

We've provided a selection of socio-demographic findings. They not only provide some background about who "these women are", but they provide some sense of the context from which incarcerated women emerge. Combined with a selection of the findings from our in-depth interviews below, we attempt to demonstrate how multiple factors and events – that appear unrelated – may form the backdrop to a story; a story about a pathway to imprisonment. The seemingly fragmented details of women's lives, however, are more than just background. They work together to help us understand the choices that women have made and the circumstances that propelled them towards the events for which they ended up incarcerated. They provided the context within which their crimes happened. For some women, these connections are more immediate; for many others, life factors build up over a lifetime. They articulate layer upon layer of marginalisation, dislocation, hurt and abuse.

23 Data missing in 2 cases (4% of the sample).

24 The remainder of incarcerated family members were father (15%), husband (10%), boyfriend (8%), cousin (8%), child's father (5%), son (5%), stepfather (3%), uncle (8%), step-grandfather (3%), and brother-in-law (3%).

5 SELECTED INTERVIEW FINDINGS

Our interviews began with an invitation for women to “tell us the story of how [they] got to prison”. Regardless of whether the stories were long and winding, or short and to-the-point, they all involved a multiplicity of sub-stories, characters and events, often weaving backwards and forwards in chronology. We heard time and time again “I forgot to mention that” or “it’s complicated” or “I’ve just gone back because I forgot to tell you this ...”. One participant wrote in her journal: “I want to write my story, but I don’t know where to start.” These statements reflect the complexity of life; the messiness and greyness that makes up our interactions with others, our choices and our influences.

We provide, however, only a snapshot of these stories, and organise some of these findings in terms of dominant themes. Again, the presentation of these findings is not exhaustive, they are instead, indicative. We cannot possibly do justice to the intricacy, depth or meaning of the interviews here. The translation of ethnographic data is not easily summarised. With that said, we focus on five central themes that emerged from the interviews, the women’s journals and life mapping activities: parenting, traumatic events and significant losses, child sexual abuse, domestic violence, caretaking and responsibility.

While excerpts from the interviews are presented in the women’s own words, we have changed their names to protect their anonymity.

5.1 Parenting

Experiencing distressed or disrupted bonds with parents is among the most important factors highlighted in the literature on pathways to crime (for women and men alike) (Farrington, 2003; Sampson and Laub, 1993, 2005a, 2005b; Laub & Sampson, 2003; Belknap and Holsinger, 2006). International studies have shown that most women offenders come from dysfunctional

family environments, and that dysfunction contributes to placing them on a path to being incarcerated (Belknap and Holsinger, 2006; DeHart, 2008; Gilfus, 1992). Many female offenders report their first arrest came after running away from home to avoid abuse by their parents (Chesney-Lind & Shelden, 1992). Similarly, research has shown that girls from violent homes are also at heightened risk for delinquent behaviour, such as sexual promiscuity, substance abuse, truancy, running away, and property crime (DeHart, 2008, Belknap, 2001). Drugs and alcohol become an ordinary part of these dysfunctional, stressful, violent, and abusive environments (Harlow, 1999). This was certainly borne out by our findings.

Dislocation and disrupted bonds with parents

Literature tends to suggest that incarcerated women often come from broken homes and single-parent households (Chesney-Lind and Pasko, 2004; Belknap, 2001; Gilfus, 2002; Daly, 1992; Ritchie, 1996). Our survey data showed that 85% of the respondents reported living with their mother and 63% with their father growing up.²⁵ However, probing during the interview process showed that for many women, their family lives were, in reality, much more complex. Although almost half of the women lived with both parent(s) at some point during their childhoods, many of them were raised for large periods of time by extended family members (grandparents, aunts and uncles, family members and/or friends). The stories of the women’s childhoods carried a common thread of (often cyclical) impermanence and dislocation created by shifting living arrangements within families (and extended families) and abrupt changes in the lives of the women and the people who cared for them.

For a number of these women these changes were significant turning points, and marked the end of what

25 These categories were not mutually exclusive, and do not, therefore, add up to 100%.

they can recall as “happy family life”. Many of the women described how happy periods in their lives were abruptly ended when they were moved from one home to another as a child. This often occurred when grandparents passed away or became ill, or when other family members could (or would) no longer shoulder the burden of caring for them. Sometimes these events were violent, and created deep emotional scars for the women who, as children, struggled to understand why their caretakers had turned against them, or why they deserve such treatment. Queen, for example told how, after her father’s death, her (immediate) family members turned against her and her mother, eventually kicking them out. She described the violence in the last eviction, where her uncles beat her, her mother and her disabled aunt, and accused them of being witches. She said:

When my father died, my older brother kicked us out, accusing my mother of killing my father. Then we moved ... and then the family, they sorted it out ... and then we stayed there again [moved back]. Then my father’s brothers came and they chased us out again [...] My heart was broken because, my dad’s brother used to come to my house ... we could sit on his lap and he would give us Chomp chocolates. Then when my father died he became a stranger. I remember him one time when I went to him he pushed me away. I couldn’t understand what happened now because he was a loving uncle, and then he sommer [just] turned into a monster. They hated us.

Abusive incidents at the hands of caretakers were common. Women described scenarios of having to “hide” in their home environments from caregivers, and in some cases, they were subjected to appalling levels of violence – perhaps because of, or at least facilitated by, the tenuous connections between themselves and their “host” families. *Zizopho* provides a poignant illustration of this. She described feeling excluded from family life in her uncle’s house, where she lived with her siblings and her grandmother. She described how her uncle would beat her, how he tried to abuse her sexually, and how – when she screamed for help one day – “he hung me up with a rope and he left me there. And I was crying, and when he saw saliva come out of my mouth, then he released me”. She was eight years old at the time.

These experiences of dislocation and abuse – and the additional responsibilities and stressors that they brought with them – undermined the women’s faith in family, parenthood and relationships, compounded their sense of helplessness and strain, and taught women that they could rely on no one but themselves. As will be shown in due course, these experiences formed an integral part of the “background” that contributed to the choices that ultimately led the women to prison.

Absent, transient or distant fathers

A striking one third of women lost their fathers during childhood. An additional third had no relationship with their fathers, even though they were alive. Some of these women didn’t know their fathers at all, and their mothers simply never talked about them. A further 20% of the women described transient fathers and step-fathers who drifted in and out of their lives, and who provided little stability, support and guidance for the women growing up. *Lena*, for instance, described keenly feeling the absence of her father, and the hurt and abandonment that his absence had created. Her father showed up after 24 years of absence for a visit at the prison (without contacting her first). She described feeling suspicious of his motives, ambivalent towards rekindling a relationship, and still angry at his abandonment and the impact it had had on her life. She related: “I ask him ... why you never came to look for me, I’m your child. Because if it wasn’t for him [pause] I would never be [pause] the person that I am now”.

The women described significant consequences in their lives resulting from their fathers’ absence. *Elmarie* told how, as a seven-year-old girl, her life fell apart when her father died. She described not only the trauma of his death, but the lingering loss and dislocation she has felt ever since:

I had a good life when my father was alive ... my father was so important to me. [crying] I was seven, my mother was fixing my hair for school, and my father just didn’t come [he used to come and take her to school on his motorbike]. The police car came and said my mother must go with them. My mother went in [to the police station] alone, and I got out and looked in the police van. And there I saw my father’s bike lying there, and he is not there. And my mother comes out with his clothes [crying hard]. And I asked “he is dead, no?” I had seen it there. His bike. And we went to identify his body and I saw him then the last time. And just like that my father was dead. My mother just turned her back on all that. My mother didn’t put up a gravestone for him. I can’t go and visit his grave. I don’t even know where it is.

The behaviour of some of their fathers not only created abandonment, but also entrenched violence. *Cynthia* described how her father had a heavy drinking habit, and he used to do drugs: “I would go with him to the merchants and whatever. I was small, but I remember the smell, and I remember how it made him, how ... how he changed.” *Nola* similarly described how her father’s alcoholism and abusive behaviour has damaged her and her siblings alike:

We’re all f...d up ... we all have a screw loose ... Growing up my father was an alcoholic. He used to beat the s...t out of my mom. He’d come home and decide

tonight's the night we're playing Russian roulette – with [my] mom sitting at the table ... he was very violent, it was a nightmare [...] If he couldn't take his frustrations out on my mom he would take it out on us. We'd get a hiding for no reason. Or "go dig a hole for your dog, I'm going to shoot your dog now". A lot of mind games.

These disrupted bonds had severe consequences for the women's own risky behaviour choices, their sense of self, and the development of coping strategies. *Barbie* explained how she "didn't have a nice childhood. I had no [real] father ... My father was very mixed up". She described how he was in and out of prison, and then died shortly after being released. It was not only his transience and absence that impacted on her, but the sense of loss when he died suddenly. *Jana*, who was convicted of armed robbery, found out that the man she knew as her father her whole life was, in fact, not her biological father, but her brother's. She said: "I think that's when I started to become aggressive ... I felt he lied to me and ... I felt very confused and angry." *Catnip* noted how the absence of a father figure, and a father's love, made her look for what she describes as "the wrong love".

This sense of "looking for love in the wrong places" was a common theme expressed by the women in our project as they described how their fathers' absence or the damaged bond between them shaped their own behaviour and choices of partners. Women described becoming involved in sexual relationships early on, confusing sex and love in an attempt to fill the void left by their fathers. Other women described how their abusive or absent fathers left them with skewed notions of what relationships should be like, what they could (or should) expect from their boyfriends and husbands, and the way that women should be treated. As *Catnip* explains, she got involved in bad relationships because she "thought that there won't be a man out there who will love me the way I wanted to be loved". These intensely gendered messages had disastrous implications for the women's notions of their own self-worth.

5.2 Traumatic events and significant losses

The life maps that the women created, as well as their journals and interviews, underscored the importance of traumatic events in propelling their lives toward the circumstances that would eventually bring them to prison. Above all other events, the women highlighted how the death of significant people in their lives (parents, siblings, children and/or caretakers) signalled dramatic changes which undermined their security and placed them at risk. For some, these traumatic events meant losing the people to whom they were closest – for example *Rose*, whose "gran was [her] everything",

felt a profound sense of dislocation and abandonment when her grandmother died. The loss of a parent or parenting figure through death, divorce or abandonment was particularly damaging for women who had been placed with the caretakers. Rose described that when her grandmother died when she was 16 years old: "... everything changed for me. Nothing was the same again. At my gran's house I felt free ... not to do what I wanted ... but at least they didn't shout at us ...". She told of how difficult life got for her when she had to go and live with her mother again when her grandmother passed away, especially since her mother's husband was molesting her and eventually raped her.

The repercussions of these events caught some women by surprise, and some participants described dealing with the trauma (or perhaps more accurately, not dealing with it) in ways that placed them on a collision course with the law. *Laurene* described how the death of her son impacted her in ways that she didn't fully realise at the time, and how she began gambling (and defrauding her employer to fund her gambling) as a result:

My life had always been traumatic and I'd always coped I never saw uh the devastation that um his death would have on me [...] It was like someone had glued me in place and all I could do was wake up, eat, go to work, go back to sleep, and I was like, I would say I was like a robot for the next five years. I went through a lot of different emotions. I went through anger, hate. I, I hated God for taking my son. I said, 'Why couldn't you have helped him? Why couldn't you have warned me?' I hated myself for not knowing and not protecting him. [...] And because I was busy and I thought I could cope with it I didn't go [to get help]. And I after five years I slowly came unstuck. And I was by this stage I had been gambling since I'd got divorced and um I slowly ... [started stealing].

The women described the collateral costs of these events (and indeed, of their crimes) in different ways. For some, relationships have suffered. For example, *Cheryl* described the death of her child's father (whom she met and fell pregnant by at the age of 15) as a key turning point in her life. She called it "a bitter part of my life when he died, because I was so young [...] And I don't know how my life would have turned out if he still had to be alive". She said that his death changed her relationship with her son, whom she pushed away as a way of dealing with the pain. As a consequence her son sees her own mother (his grandmother) as more of a mother than he does her. *Zameka*, who was convicted of shoplifting, described how the death of her two children (one from pneumonia and another from jaundice) still upsets her: "It affects me even now. If I count my babies. Even my friends, my prison friends ask me how many children I got, I say five. Because I can't say three. Because that was my child also."

Morag talked about the deaths of her father and her brother and says: “there was times when I think isn’t this the cause of my downfall? ‘Cause those were the two people in my life, I was very attached to them ... I don’t know ...I’m still trying to figure it out and I’m 50 years old now.”

These losses and trauma – caused by death, rape, adoption and miscarriages, amongst others – were clearly highlighted by the women as events that impacted the path of their lives. Whether they recognised this fact at the time that events unfolded or not, the effects were lasting, and perhaps created deficits and scars that the women have yet to fully recover from.

5.3 History of abuse

There are a number of different forms of violence experienced by incarcerated women, and of course, by women outside of prison. Women both inside and outside of the prison context experience extreme forms of physical, sexual and psychological abuse, from childhood to adulthood, and are forced to live with the consequences and effects of these violations. During childhood, these violations include physical abuse, sexual abuse, neglect, exposure to addiction, sexualised environments and erratic parenting. In adulthood, women experience domestic violence, sexual violence and a broad range of controlling behaviours by partners and family members. Although many women in this study spoke of adult forms of abuse, particularly domestic violence, childhood violence and trauma featured prominently within the life stories of female offenders. The former, domestic violence, was often discussed as “a part of life”, as though it was just an inevitable part of being a woman. Sometimes during the interviews, when situations of domestic violence were gently probed, the interviewers were dismissed with “it’s not important” or “it’s part of life”. As one woman put it:

You only realise once you get here and reflect and talk to other people that you’ve been through a lot. You thought it was normal before.

McCartan & Gunnison (2010) make the important point that “the link between prior sexual abuse and female offending is one of the most consistent findings within the etiology of female offending. It is not, however, part of every female offender’s life history” (2010:1449). Similarly, not all girls who experience abusive and traumatic home situations become involved in criminal

behaviour (Salisbury & Voorhis, 2009). It is therefore important to note that although a considerable amount of abuse and trauma is found in the lives of the women offenders in this study, not all of them have been abused.

Child sexual abuse

Within the prison context, child and adult experience of abuse is probably the single, most important factor that distinguishes female prisoners from male prisoners. The pre-interview survey data from the Pathways Project indicated that two thirds of women reported that they had never been physically abused as children, with 37% indicating that they had. Twenty-eight percent (28%) admitted to some form of sexual abuse during their childhood. Thematic analysis of the interview transcripts – with specific attention to themes relating to “history of abuse and trauma”, “familial relationships”, “abusive/abuse in relationships”, “relationships with partner” and “relationship with father” – reveals similar results. Thirty-eight (38)38% (n=21) of women discussed their experiences with childhood physical abuse, with one third of women (29%) discussing their experiences of child sexual abuse or rape.²⁶ The average age of victimisation by sexual assault and/or rape was seven years old, with the earliest age of victimisation being three years old and the highest (of those under the age of 18) being 16 years old. It is important to note that many of the women were sexually assaulted over a period of time during their childhood (n=10; 62%), with several being sexually assaulted by different men over the course of their childhoods (n=5; 31%).

Examining the impact of sexual abuse on female offending by exploring the differences between female offenders with and without histories of sexual abuse (n=131), McCartan & Gunnison (2010) found that offenders with a history of prior sexual abuse were significantly more likely (than those who did not have such a history) to end up in abusive relationships and to have friends who had also been arrested, and to have been incarcerated for three primary types of offences: violent offences, drug-related offences and property-related offences (presumably meaning “economic offences”, such as robbery or theft).²⁷ Our study found remarkably similar findings. Of those who experienced sexual assault and rape during their childhood (29% of the total sample), 56% were convicted for murder, 38% for theft/robbery/fraud and 6% for drug related offences. These were the “top three” offences committed by victims of child sexual abuse or rape.

26 Further analysis of the interview transcripts reveals that 67% (n=37) of women had experienced domestic violence and/or rape sometime *during their adulthood*, which is three times the rate of abuse reported in the general population. It is estimated that 1 in 5 South African women are victims of domestic violence and that 1 in 4 women have been victims of a sexual assault/violation over their lifetime.

27 Gunnison and McCartan (2005) also found a connection between prior sexual or physical abuse and “delinquent” associations. They also found that the link between abuse and persistent offending was significant.

Researchers attempting to develop pathways or life-course explanations of female offending have suggested that both child and (early) adult sexual abuse is a significant, if not strong, predictor of female criminal offending.²⁸ Exploring empirical works on child sexual abuse, Greene et al. (2000) maintain that “studies have consistently found that sexually abused children manifest significantly more symptoms of aggression, acting out, anxiety, depression, sexualized behaviour, withdrawal, severe internalizing, low self-esteem, self-destructive behaviour, and substance abuse” (p. 5). James (2004) established additional manifestations of early childhood trauma and intimate partner violence which they found can lead to criminal activity, affected employment and job loss, and evolved into substance dependency. Greene, et al. (2000) reminds, however, us that the unique effects of physical and sexual abuse are difficult to isolate because they often co-occur with poverty, substance abuse, and witnessing violence.

While there is an increasing amount of literature that examines the frequency and impact of childhood sexual or physical abuse amongst women prisoners, very little of this literature goes into any real detail about the nature of the abuse that women face. On the whole, the literature assumes a standard template of offences against children (all equally ‘damaging’), and largely ignores information about whom the offending parties are and under what social, environmental or familial conditions these abuses take place (for instance, the factors that make children vulnerable to these abuses, and of course, to subsequent offending).

The nature of abuse disclosed by women in this study, provide us with a dimensional perspective of vulnerability. Women describe the death of parent, divorce and a parent’s taking up of new partners or lovers as a precursor to sexual vulnerability. They also describe home environments that are safe, but naive, where family members do not question or are apprehensive about questioning peculiar behaviours by extended family members/friends. They also describe situations where parents collude with, and sometimes participate in, abusive physical or sexual violations. In some instances, parents or caregivers of these children would often have suspicions about the abuse, but would not act on them. Many women reported that

their mothers colluded with the abuse or denied that it happened. In some instances, mothers had witnessed the abuse, but had turned a blind eye to it, either choosing to maintain the status quo or blaming the child victims for their predicaments.

The majority of the perpetrators of sexual violence against the women in our study were “father figures” or “care takers”. The majority of these were “stepfathers”, often referred to in the interviews as “my mother’s husband” or “my mother’s boyfriend”. Biological fathers, grandfathers (living in the same household) and foster parents were also considered father figures. Other abusive male relatives included uncles (whether biologically related or close family friends considered as uncles) and cousins.²⁹ Sixty two percent of those that experienced child sexual abuse were abused by a father figure, while the remaining (38%) were sexually assaulted by someone other than a father figure, but typically someone trusted or known well to the family.

If you being sexually abused, especially through um family members or father. You feel ashamed. Because for me it’s like, what are they gonna think about me when it’s my father? You’re supposed to look up to your father. So how can you tell someone that your father had sex with you. I mean to have sex with your daughter and just let your daughter, if you – sex is a thing on its own and just let your daughter touch you then it’s something.

These findings provide a basis for which to support more focused and in-depth research to explain why previous victimisation – specifically early childhood abuse – is an important etiological factor in women’s offending. We have seen that history of abuse is a statistically significant predictor in a number of international studies, particularly in relation to what has been termed as ‘atypical female offending’ such as armed robbery. However, by all accounts, the link between child sexual and/or physical abuse and violent offending (attempted or actual murder) has not received much attention, even internationally. This may be because of the significantly smaller number of female violent offenders in international contexts. However, with over one third of South African women sentenced for murder, the connection between early sexual victimisation and adult violent offending is worth examining in detail.

28 See for instance Comack (2005); Goodkind et al. (2006); McCartan & Gunnison (2010); Becker & McCorkel (2011).

29 One woman was sexually abused by both her father and her uncle.

Domestic violence

Sixty-seven percent of the women in our project reported some form of domestic abuse. This violence in their adult relationships was most often at the hands of husbands (n=18), boyfriends and partners (n=8).³⁰ The transcripts of their interviews contained detailed accounts of the violence that they endured – sometimes at the hands of more than one partner (n=6). For seven women, the abuse became so severe that they murdered their husbands or contracted someone to do so. These cases need to be understood in a context of cumulative violence and control, increasing in severity over a period of time. They also need to be understood within a context of repeated and failed attempts, over many years, to seek and secure help from a range of sources, including families, social systems and the criminal justice system.

Yet, despite these disturbingly high numbers, most women did not directly identify their violent relationships as a turning point in their lives. This is not to say that the women dismissed the abuse. Rather, their experiences of violence were so deeply woven into their narratives that they formed the background to, rather than a feature of, their story. Domestic violence had become so normalised that it didn't seem to strike them as salient to understanding how they ended up in prison. Many of the women in our study reported histories of multiple abuse. There is evidence that cumulative violence shapes women's coping strategies, increases their risk of being abused by (other) male partners, of running away from home (to escape the abuse), living on the street, addiction, and poverty (Gilfus, 2002; Belknap, 2001).

The experience of violence and abuse is significant in that it is transmitted across generations, creating a "context" for women that normalises living in violent and abusive homes as "just something that happens". Female prisoners who are mothers spoke of the vulnerability of their mothers and their own daughters. The women gave poignant descriptions of their experiences of parental violence and the impact it had on their lives. For example, *Laurene* describes how she protected her mother from her father's violence. She explains later in her interview how she ended up in an intensely violent marriage herself, and how in the end, her own children "witness[ed] a lot of ... I would say violence in the marriage".

The violence that was candidly and graphically described by the women in our sample spanned the range of abusive behaviours from verbal abuse to (often severe) physical abuse. Many of these women had experienced many different forms of abuse – as

Daleen says: "I have experienced all the kinds of abuse you can think of." Women who reported being physically abused described being hit, stabbed, shot, beaten, slapped, punched and pushed. A number of women described being forced to have sex – rape. Linda describes how "he usually forced himself on me ... and I had to tell my daughter that I fell pregnant because he raped me." In addition to emotional, verbal and psychological abuse, women described being financially abused by being refused access to the family coffers to buy necessities, or by partners not providing food and/or money to the family. The women also described a range of other controlling behaviours that their intimate partners did toward them, including not being allowed to have friends, not being allowed to leave the house, not being allowed to speak to or look at other men, and being cut off from friends and family. *Ruby* describes how she was "not allowed to look anyone in the eye, especially a man. I always had to look down".

Six of the women in our sample had been hospitalised at least once as a result of the abuse that they had suffered. Unfortunately, it appeared from these stories that their injuries were not identified as part of a pattern of abuse by the healthcare facilities to which they presented. In the six cases where the women were hospitalised, none of their abusive partners were arrested or charged for the assaults. *Marie*, for example, said in her interview that she went to the hospital "a lot" while she was with her abusive boyfriend, and that she told them that "it was my boyfriend [who hurt her]" but that they never involved the police. *Sandra*, explains for example, how twenty-five years of abuse (and hospitalisation) has scarred her physically: "I was many times in hospital ... That's why my eye's so like this. I can't see a lot." For some of these women, their threats to leave their abusive husbands were the catalyst for the potentially lethal violence that landed them in hospital. After his threatening to kill her if she left, *Nazley* describes how her husband pursued her as she was reversing her car out of the gate:

And he came and [...] he gunpointed me and he said I'm going to shoot you. And I said well then you have to shoot. But then I thought he's not gonna shoot cause I'm pregnant and I've got [Daughter] on my arm, he won't shoot. And then he shot. Shot past here, I still have a thingy [scar] here from the shot and then um I fell and I woke up in hospital.

Nazley was re-hospitalised after securing a protection order. He responded to this by stabbing her 13 times while she was in the shower. She was seven months pregnant at the time.

³⁰ We refer to the father of a woman's child as a partner (or ex-partner, as appropriate).

In trying to understand women's pathways to crime it is not only important to appreciate how women's experiences of abuse at the hands of their intimate partners influence their perceptions about relationships and the normality of violence, but also how these experiences shape their reactions to their abuse. For some of the women, the abuse that they endured in their homes allowed them to be coerced (or perhaps more accurately, made them unable to refuse) into committing crime with their partner. For others, abuse led to problem behaviours such as drugs, alcohol and gambling as a way of release or dealing with their experiences. For a group of the women, the connection between their experiences of abuse and their crimes was less direct; their victimisation affected their life circumstances in ways that effectively separated them from mainstream avenues of support and livelihood, and influenced their psychosocial functioning.

There are others – a staggering twenty-one women in our sample (38%) – who were incarcerated for murder or conspiracy to commit murder.³¹ Seven of these women were convicted of murdering or contracting to murder their abusive husband or partner. Three of these women committed the murder themselves, while the remaining four arranged for someone else to carry out the killing. For these women, the crime for which they were incarcerated is a direct result of their experiences of abuse. They described how the abuse became too much to bear until they perceived that there was no other option but to kill their abusive partner.

5.4 Caretaking and responsibility

Early on in the project, the researchers observed the central role that motherhood played in the lives of many of the participants. Throughout the group sessions in both prisons, women spoke frequently about the difficulties involved in maintaining contact with their children through limited phone calls and brief visits and pointed to separation from their children as one of the most difficult aspects of prison life. This is consistent with the international literature on incarcerated women, which has found that “mothering is a central concern of incarcerated women and that correctional facilities have failed to respond adequately to this concern.” (Ferraro & Moe, 2003, p.13).

Owen (1998) notes the centrality of children to the lives of many female prisoners and argues that: “The presence of children in the lives of these women shapes their pre-prison experience, as well as how they serve their time” (cited by Belknap, 2001:70). Ferraro & Moe (2003) and Moe & Ferraro (2006) reached a similar

conclusion, highlighting the relationship between economically motivated crimes and the financial burden of motherhood. It was during our interview with *Bilqees*, who defrauded the company she worked for in order to pay for her husband's drug rehabilitation, that it struck the researchers that the responsibility assumed by women who are mothers was but one example of a more general tendency of women to assume responsibility for taking care of others. Using both “children” and “responsibility” as themes during the coding process, the caretaking role that women fulfilled vis-à-vis their children, partners, parents, grandparents and siblings, and its relationship to women's decisions to commit crime, emerged as an important finding. This analysis also highlighted the caretaking responsibilities assigned to the women as young girls, and the ways in which these responsibilities impacted upon their pathways.

In our sample, the most salient caretaker role was that of mother. Seventy-five percent of the women in our sample were mothers.³² As noted above, most of the mothers in our sample had their first child before they were 21 years old, with 7% (n=3) having had their first child between the ages of 10 and 15. The percentage of mothers who had their first child by the age of 15 is high compared to national statistics, which indicate that 15-year-olds represent only 1% of teenage pregnancies (Pettifor et al, 2003).

Pregnancy and/or becoming a mother was a turning point in the lives of many women, though not all identified it as such. For a few women, having children brought positive change in their lives. Motherhood, for these women, was conceived as an achievement; something to be proud of. For most women, however, having children also brought many complications. In particular, pregnancy or having children was a turning point for several women because of its impact on their relationships with the fathers. For some, becoming pregnant was the reason they got married. These women felt they were expected to “do the right thing”. For others, pregnancy had the opposite effect, marking the breakdown of the woman's relationship with her child's father. This was manifest in the onset of physical abuse or in the father's withdrawal from the relationship, physically or otherwise.

Caring for children and its impact on crime

When fathers withdrew from their relationships with their children's mothers, this was usually related to the question of support, which became a source of stress for the mother. More than 25% of the women in the sample (n=13) conceptualized their offending as a direct response to their responsibility to support their children,

31 One case is a case of conspiracy to murder, two are cases with joint crimes of murder and armed robbery, and one case is that of murder and housebreaking.

including children from their extended family who were in their care. This is consistent with the literature on motherhood and crime, which describes how women with children in their custody conceptualise their non-violent, financially motivated crime as “an alternative to hunger and homelessness” (Ferraro & Moe, 2003:19). The findings of our study, however, show that this rationalisation is also used by women who commit more violent crimes. Thus, three women in our study, who were convicted of armed robbery, related their initial involvement in crime to their need to support their children. The findings also suggest, however, that while these women certainly needed to support their children, the decision to offend was taken in a more nuanced context, in which supportive (or abusive) relationships, attitudes and obstacles to employment, and access to criminal opportunities played important roles.

In other ways as well, the need to care for and protect children acted both as a constraint that limited women’s ability to make good choices as well as a catalyst for action with both positive and negative affects. Many of the decisions made by women in abusive relationships, for example, were motivated by their expected impact on children. In particular, concern for their children’s welfare and/or the need for financial support were cited by a number of women as the reason they stayed with, got involved with, or did not file charges against an abusive partner; and the reason they became involved in a gang (which then led to crime) or continued their gang-related criminal activities.

Motherhood and incarceration

For many women, motherhood featured as an important part of their stories not because – or only because – of the way it shaped their criminal choices, but because of their failure, in their own eyes, to live up to the responsibilities of this role. For these women, motherhood remained an important part of their identity in spite of their failures to care for their children. Though they expressed guilt over these failures, they also asserted the strength of their bond with their children, which was an important source of resilience. Looking to the future, children play a crucial role in the determination of many women to resist future offending as well as substance abuse. Women spoke of their children as providing motivation for stabilising their lives, “holding their heads high”, and looking for legitimate work.

Other caretaking responsibilities

In addition to the burden of care that women assumed as mothers, a number of women cited the need to

support or care for other members of their extended families – including, for example, providing for a sick father and paying for the rehabilitation of a drug-addicted husband – as the primary factor in their decision to offend. The choices women could envision, however, to obtain the financial resources necessary to “fix” things, were constrained by a number of factors. A constraint that Bilqees and Jennifer both expressed, for example, was the feeling that they had to handle things on their own and must remain silent about their own suffering. In some cases, these relationships also provided support for the women in prison. Jennifer, for example, who explained her decision to traffic drugs in terms of her need to provide for her sick father and to “get her family back”, was incarcerated far from her family. Although she expressed some resentment toward her parents for the harsh reality she endured through the poverty of her teenage years, during her incarceration she felt that her parents were always there for her, in spite of the distance. At the same time, the separation from her family and the experience of surviving on her own also strengthened her. Ironically, it may be that it is her incarceration – rather than the financial support she tried to provide through her crime – that has made her feel that she has got her family back. In other cases, prison afforded women the opportunity to re-evaluate these relationships. Thus, Bilqees, for instance, who committed fraud in order to send her husband to rehab, learned that her husband had to take responsibility for himself and decided that he was not the kind of man to whom she wanted to be married.

Childhood responsibilities

Ten³³ women spoke about the numerous household responsibilities they were given as children and about how they felt about these responsibilities. These responsibilities were generally “gendered” and differed from those responsibilities that male siblings were expected to assume. The findings suggest that, whether by observing the female role-models in their lives or because of the practical demands placed on girl-children, women may internalise the idea, early in childhood, that it is their responsibility to take care of other members of their family. Furthermore, the women sensed that their parents had failed or neglected them by imposing such heavy burdens on them when they were still so young. This caused some women to run away from home, making them vulnerable to abuse. For others, it created conflict between a girl’s love for her parents and anger and disappointment at the fact that they have failed her. For one woman, the attempt to silence this internal conflict became too much to bear and drove her to alcohol and other risky behaviours as a means of coping, while for another woman, silence

32 This is somewhat lower than the percentage of mothers in the general female prison population in South Africa, which was 84% in 2004 (JIP, 2004).

became a way of being, limiting her ability to resist her husband's abuse. For yet another woman, these responsibilities were intricately tied to the feelings of shame and exclusion she associated with poverty, over which it became so important for her to triumph.

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33 One of these cases refers to a woman who was married at 14 and, though she did not go to live with her husband until she was older, felt the responsibility from that point to be there for her husband and also felt that she had lost her autonomy and ability to enjoy life for herself.

CONCLUSION

6 CONCLUSION

The purpose of this study was to identify shared experiences and patterns in the lives of incarcerated women and to understand how these experiences interact and shape women's choices to engage in particular forms of criminal behaviour. Throughout the research process, and particularly when the interpretation and analysis of the data began, the researchers questioned their ability to identify a "pathway" amidst the myriad of important details that the women spoke about. Moreover, it was clear that each story was unique and that each woman's pathway, should we be able to identify one, would be different, in potentially relevant ways, from all of the others. Yet it is clear from our analysis that there were many shared features in the narratives we collected. A history of child abuse, domestic violence, poverty, mothering and responsibility for others, and addiction were all issues that the women raised repeatedly.

These features were also inextricably inter-related. Thus, even where one of these factors stood out as a driving force in the particular woman's "pathway" to crime, it was never the only important one; it had to be understood in relation to other particular aspects of the woman's experience and to the way in which all of these converged to create circumstances which, for that individual woman, were "criminogenic". The "messiness" of the inter-relationships between and among risk factors and life histories illustrates what Wesley (2006) describes as the importance of "context" – the complex nexus of events and conditions that make up lived experience. It is this confluence of factors or combined context that is experienced in a way that creates a constrained environment within which women may decide to commit crime. Certainly, the women experienced (and endured) a range of different events and institutional barriers: deaths, trauma, childhood abuse, domestic violence, poverty, dislocation, and homelessness. They came from backgrounds of powerlessness, experienced gender-specific sexualisation and exploitation, fractured relationships, economic vulnerability, social alienation and exclusion. The combined reality of these experiences set the women up with social, behavioural and emotional deficits that shaped, constrained and catalysed their life decisions, behaviour, options of livelihood and coping strategies (including violence).

We are not arguing that a particular combination of risk factors is a "recipe" for understanding criminality. There is no fixed list of factors that can be said to create criminal behaviour causally. To suggest this would undermine the women's agency in their own lives and in the execution of their crimes. We are also not arguing that men and boys do not experience similar impediments and events. They do (albeit differently). We are arguing, however, that these experiences and the circumstances that they create are typical of the particular social position that women (especially in South Africa) occupy – marked by high levels of abuse, gendered socialisation and economic marginalisation. When women have these experiences, their options are shaped and compounded by the underlying inequality and oppression that brought them to that position in the first place, limiting their available support structures and coping strategies. The combined effect is to create a sense of isolation, and the lasting impression which women can count on no one but themselves. Thus, whatever the socio-economic, educational and other differences between and among the women, there are key features of their lived experience that work together to affect the choices that they make. These features combine to create a context in which women's and girls' resources for escaping and surviving their "context" (often characterised by poverty and abuse) are so limited that they must depend on illegal activities to stay alive, and where violence has become so normalised that it may become a possible response.

The benefit of conceptualising women's criminality as a response to a constrained and problematic context, rather than a pathway, is in understanding that for these women, choosing not to commit crime is perhaps not as simple as avoiding a particular experience or factor. Their lived experience is such that one cannot simply step off of the (negative) pathway, and onto one which detours away from crime. For almost every woman in our sample, their lived reality was characterised by layer upon layer of abuse, loss, financial and emotional isolation, and weakened social bonds. The cumulative effect of this context created an intractability that limited women's perceptions of legitimate problem-solving opportunities, and steered them towards the people and circumstances that would eventually lead to their incarceration.

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