

GANGING UP ON GIRLS: YOUNG WOMEN AND THEIR EMERGING VIOLENCE

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*Yes, I am wise, but it's wisdom born of pain.
Yes, I've paid the price, but look how much I've gained.
If I have to, I can do anything...
I Am Woman, Helen Reddy¹*

*I've been a bad bad, girl.
I've been careless with a delicate man
It's a sad sad world
When a girl will break a boy
Just because she can
Criminal, Fiona Apple²*

We are both turned on and turned off by girls behaving badly. And girls are behaving badly.

Consider the following recent examples of girls behaving badly:

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1. HELEN REDDY, *I Am Woman*, on LUST FOR LIFE (Pair 1975).
2. FIONA APPLE, *Criminal*, on TIDAL (Sony Music Ent. 1996).

In Fort Worth, Texas, a gang of girls "in a blue Oldsmobile prowled the streets...mugging people at gunpoint." Before they were arrested, they had committed as many as seventy robberies.³

In Milwaukee, Wisconsin, a thirteen year old girl, "allegedly following...instructions from a twenty year old who ran a drug house where she worked, was accused...of pulling the trigger of a .25 caliber handgun used to kill" an Ameritech worker.⁴

In Miami, Florida, three teenage girls await sentencing for the murder of a taxi driver who was shot as they "tried to cheat him out of a six dollar fare."⁵ The same day, another teenager awaits sentencing for shooting her former friend in the eye as a way to settle a long-standing feud.⁶

In Washington, D.C., two girls, twelve and fourteen, "are accused of hijacking cars from elderly women" at knife point.⁷

In Chicago, Illinois, three female gang members intentionally lured two boys into a park under the pretense of partying. Instead, they all went into the bathroom where, in execution-style, one girl shot one of the boys in the back of the head and then passed the gun to her girlfriend, who shot the other one in the back of the head. The killings were in retaliation for murdering one of their friends.⁸

"In Concord, New Hampshire, four girls surround[ed] a 14-year-old girl as she [got] off a school bus at the mobile home park where she lived and beat her with baseball bats."⁹

In Tucson, Arizona, a sixteen-year-old girl, who was out riding with friends, killed a twenty-two year old Radio Shack employee. The victim was outside a hotel

3. See Sam Walker, *New Crime Trend: Bonnie Dumps Clyde*, CHRISTIAN SCI. MONITOR, Dec. 5, 1996, at 1.

4. See David Doege, *Man Charged in Murder of Ameritech Worker: 20-year-old Admitted Giving the Gun to Girl, 13, Criminal Complaint Says*, MILWAUKEE J. & SENTINEL, Feb. 7, 1996; Margo Huston, *Who Really Pulled the Trigger? Experts Say Community Isn't Innocent in Case of Girl Accused in Murder*, MILWAUKEE J. & SENTINEL, Mar. 5, 1996, at 1 ("There's been an increase in female offenders, period, and an increase in their involvement in violent crime," said Janice Ereth, Senior Researcher with the National Council on Crime and Delinquency and former juvenile court coordinator for Milwaukee County.). See also *State v. Tashonia B.*, 568 N.W.2d 786 (Wis. App. 1997) (unpublished).

5. Tessie Borden, *Experts Say Girls Committing More Rough Crimes*, SUN-SENTINEL (Ft. Lauderdale), Feb. 9, 1997, at 1B ("Not only are [girls] committing more crimes, they're getting more violent," said John Ingraham, Dade [County] district manager of the [Florida] Department of Juvenile Justice.").

6. *Id.*

7. Leef Smith, *In Suburbs, Concern Grows Over Girls' Criminal Activity; Counties Struggle to Develop Programs*, WASHINGTON POST, Oct. 30, 1995, at B1 ("Girls used to be locked up for being promiscuous. Now they're in [correctional facilities] for robbing banks and assault," said Fairfax County Juvenile Court Judge Jane P. Delbridge.").

8. *State v. Mulero*, 680 N.E.2d 1329, 1331 (Ill. 1997).

9. See Royal Ford, *Razor's Edge*, BOSTON GLOBE, May 24, 1998, at 13.

were she had been celebrating with friends at a post-prom party. The killer did not know her victim.¹⁰

"In Cromwell, Connecticut, two eighteen year old [girls] are charged with using box cutters to slash the necks of two other teenage girls."¹¹

Although violent crime is still boys' business, violence by girls is on the rise at a much faster rate than male violence. In 1996, the most recent year for which statistics are available, 20,256 juvenile females were arrested for violent crimes.¹² Females accounted for 15% of all minors arrested for violent crimes, with their most extensive involvement in aggravated assault.¹³ In fact, from 1992 to 1996, the violent crime rate for girls increased 25%, while the boys' rate remained steady.¹⁴ A recent report by the Office of Juvenile Justice and Delinquency Prevention finds, "This question cannot be ignored because female involvement in the juvenile justice system continues on a steady course upward—even as juvenile male involvement in delinquency declines.... Female involvement in the juvenile justice system, once seen as an anomaly, has evolved into a significant trend."¹⁵ National¹⁶ and local¹⁷ officials report similar trends.

10. Stephanie Innes, *Our Violent Children Revisited: Combination of Kids, Guns Usually Lethal*, TUCSON CITIZEN, Apr. 13, 1998, at 7A.

11. Ford, *supra* note 9, at 13.

12. Howard N. Snyder, *Juvenile Arrests 1996*, JUV. JUST. BULL., Nov. 1997, at 2.

13. *Id.* The report finds that in 1996, females represented 25% of all arrests of juveniles in the United States (712,925 out of 2,851,700). Females represented 7% of arrests for murder/non-negligent manslaughter (203 out of 2900), 10% of arrests for robbery (5010 out of 50,100), and 20% of arrests for aggravated assault (15,320 out of 76,600). *Id.*

14. *Id.* at 3.

15. Kimberly J. Budnick & Ellen Shields-Fletcher, *What About Girls?*, OFFICE OF JUV. DELINQ. & PREVENTION FACT SHEET, Sept. 1998, 1.

16. Other official studies document the increase in violence among juvenile and young adult women. For example, a recent report by the Office of Juvenile Justice and Delinquency Prevention, found that "[b]etween 1989 and 1993, the relative growth in juvenile arrests involving females was more than double the growth for males (23% versus 11%)." EILEEN POE-YAMAGATA & JEFFREY A. BUTTS, U.S. DEP'T OF JUSTICE, FEMALE OFFENDERS IN THE JUVENILE JUSTICE SYSTEM, STAT. SUMMARY 2 (1996). Indeed, "[f]emales were responsible for 17% of the growth in juvenile arrests for Violent Crime Index Offenses between 1989 and 1993." *Id.* at 1. Crimes under the Violent Crime Index are murder, non-negligent manslaughter, forcible rape, robbery, and aggravated assault. *Id.* at 3. Between 1989 and 1993, the arrest rate for violent crime index crimes rose 55% for girls in comparison to 33% for boys. In 1993, it is estimated that 200 girls were arrested for murder/non-negligent manslaughter, 100 for forcible rape, 4400 for robbery, and 14,100 for aggravated assault. *Id.* Although the study acknowledges that juvenile crime is still predominantly a male problem, it concludes that "[i]f recent trends continue, however, female delinquents will occupy even more of the time and attention of policymakers, service providers, court officials, law enforcement agencies, and communities." *Id.* at 18.

The profile for adult women inmates suggests a similar picture of the emergence of young women's violence. The Department of Justice reports that women accounted for 10.2% of jail inmates in 1996, rising at a faster rate than men. From 1983 to 1996, the number of women inmates rose from 15,900 to 51,600—a 9.5% increase per year. CAROLINE WOLF HARLOW, PROFILE OF JAIL INMATES 3 (1996). This compares to a 6.2% increase for men during

Girl violence is not a solitary endeavor. Gangs or other semi-organized "cliques" are often the catalyst for some of the most severe violence. For example, in 1994, 27.3% of all female violent crimes other than homicide were identified as gang-related.¹⁸ Recent studies document that an increasing number of girls are joining gangs and engaging in violence.¹⁹ Girl gangbangers are often dismissed by the criminal

the same time period. *Id.* Furthermore, in 1996, 14.9% of those women were incarcerated for a violent offense; the vast majority were under the age of 35. *Id.* at 5 tbl. 5.

See also Henry H. Brownstein et al., *Changing Patterns of Lethal Violence by Women: A Research Note*, 5 WOMEN & CRIM. JUST. 99 (1994) (suggesting "that literature has understated the number of women who kill for [reasons other than self defense,] and that the type of killing by women may be explained in part by the involvement of drugs and alcohol in the killing or in the life of the woman who has killed"); Craig J. Forsyth & Burk D. Foster, *Trends in Female Criminality 1943-1991*, 21 FREE INQUIRY IN CREATIVE SOC'Y 135 (1993) (finding that there has been a gradual increase in violent and property crimes by females). According to a survey by the Department of Health and Human Services, among ninth grade girls, 9.3% say that they carried a weapon (for instance, a gun, knife, or club) in the previous month. Within the past year, 6.8% of ninth graders and 7% of tenth graders reported threats or injuries with a weapon on school property. Furthermore, 37.4% reported being in a physical fight. See U.S. Dep't of Health and Human Services, *Campaign Information: Quick Stats on Female Adolescents* (visited Apr. 1, 1999) <<http://www.health.org/gpower/campaign/quickstats.htm>>.

17. See, e.g., JENNIFER TUCKER & LESLIE R. WOLFE, VICTIMS NO MORE: GIRLS FIGHT BACK AGAINST MALE VIOLENCE 28 (1997) (concluding that "[a]lthough aggressive behavior is still less common among girls than among boys, the recent dramatic increase in violence among girls is deeply disturbing"); Michelle Guido, *Teen Girls Committing More Crimes on Their Own: Females Plan, Letting Boys Do Dirty Work*, SEATTLE TIMES, June 14, 1998, at A4 (noting that in Santa Clara County, California, for example, the felony-arrest rate for girls nearly doubled); Megan Clouser Kurlychek, *Female Juvenile Delinquency in Pennsylvania: An Analysis of Trends from 1985-1995* 78 (1997) (finding that female delinquency in Pennsylvania was increasing modestly over this period of time, although not as great as some estimate). See also Arlo Wagner, *Montgomery Council Sets Agenda on Juvenile Crime*, WASHINGTON TIMES, Feb. 19, 1997 at C4 (quoting council member Gail Ewing: "In Montgomery County [Maryland], 1,237 females committed crimes in 1993, and every year we see an increase in the violence perpetrated by teenage girls").

18. G. DAVID CURRY ET AL., NAT'L INST. OF JUST., GANG CRIME AND LAW ENFORCEMENT RECORDKEEPING 8 (1994), as compiled by MEDA CHESNEY-LIND, THE FEMALE OFFENDER: GIRLS, WOMEN AND CRIME 43 (1997).

19. See generally MALCOLM W. KLEIN, THE AMERICAN STREET GANG 111 (1995); GINI SIKES, 8 BALL CHICKS (1997); IRVING A. SPEGEL, THE YOUTH GANG PROBLEM: A COMMUNITY APPROACH 57 (1995) (pointing out that researchers using self-report data estimated the proportion of female gang participants to be as high as 33%); Terence P. Thornberry et al., *The Role of Juvenile Gangs in Facilitating Delinquent Behavior*, 30 J. RES. CRIME & DELINQ. 55, 87 (1993) (using data from the Rochester youth development study, three models are tested in a discussion of the role that juvenile gangs play in facilitating serious and violent crime); Adrien K. Wing & Christine A. Willis, *Critical Race Feminism: Black Women and Gangs*, 1 J. GENDER, RACE & JUST. 141, 142 (1997). See also Borden, *supra* note 5; Doege, *supra* note 4; Huston, *supra* note 4; Los Angeles County Sheriff's Dep't, *Girlz in the 'hood*, in SCHOOL SAFETY, Spring 1996, at 13 (finding an increase in female gang activity in Los Angeles County) [hereinafter *Girlz in the 'hood*]; Walker, *supra* note 3, at 1.

justice system or ignored by researchers.²⁰ Yet, these girls initiate drive-by shootings, guard their home turfs, often on their own terms, and are as dangerous as their male counterparts.²¹

The emergence of girls, gangs, and violence raises two questions for the criminal justice system. First, why are girls becoming more violent? Second, how should the criminal justice system respond to what is likely to be an ongoing trend? These are difficult and risky questions to pose.

Existing answers to the first question are largely unsatisfactory, falling into the trap of polemic discourse. Predominantly women scholars are fighting other women scholars in print to uncover the nature of women's aggression and thus guide legal and policy decision-making, as well as enhance their own status within the academy.²² Current theories posit these girls as either liberated, autonomous beings accessing male power structures through violence,²³ or as oppressed victims trapped in a violent world created and maintained by men.²⁴ Some still deny that young women are becoming more dangerous.²⁵ What one thinks the legal system ought to do with these girls depends on where one falls in the liberation-oppression debate described above. Some argue that for girls, like boys, there are no excuses for violence;²⁶ others argue that for girls, unlike boys, there are many.²⁷

I have three criticisms of contemporary work on female gang members. First, most academic discourse about female violence is completely disconnected from popular culture, which strongly influences the lives of young women.²⁸ Much of it is written in such coded language that it is completely inaccessible to anyone outside the academy, let alone those who are the subject of the text. This Article is intentionally

20. See, e.g., CURRY ET AL., *supra* note 18 (discussing that many police departments do not acknowledge female violence as gang-related); Wing & Willis, *supra* note 19, at 142 (arguing that social scientists and criminologists have ignored the role of females in gangs).

21. See SIKES, *supra* note 19. Sikes spent one year with female gangs in three different cities and documented her experiences with them in this book.

22. For a bibliography on female gangs, see Randall G. Shelden et al., *Girls and Gangs: A Review of Recent Research*, 47 JUV. & FAM. CT. J. 21 (1996). For an excellent bibliography on gang research, see James C. Howell & The Office of Juvenile Justice and Delinquency Prevention, *National Youth Gang Center Bibliography of Gang Literature* (visited July 28, 1998) <<http://www.ncjrs.org/gangbi.htm/>>.

23. See *infra* notes 74–87 and accompanying text.

24. See *infra* notes 88–118 and accompanying text.

25. See *infra* notes 88–91 and accompanying text.

26. See *infra* notes 270–72 and accompanying text.

27. See *infra* notes 273, 275–77 and accompanying text.

28. C.f. CARL S. TAYLOR, *GIRLS, GANGS, WOMEN AND DRUGS* 203 (1993) (“The Academy may dismiss [hip hop] as ‘ghetto noise’ but one need only look at the Los Angeles riot to understand what hip-hop is communicating. Those who choose to ignore the symbolic meaning and revelations of hip-hop culture cannot honestly give an accurate account of what is taking place in the urban environment.”). See also Martha Minow, *Words and the Door to the Land of Change: Law, Language, and Family Violence*, 43 VAND. L. REV. 1665, 1695 (1990) (discussing the use of words, including popular lyrics, as they influence our understanding of violence and whether these widely accessible sources can impact social change).

written with popular references to break down the wall that insulates those of us in the academy from the rest of the world. Second, most current theories view violence from a social constructionist viewpoint, arguing that it is essentially learned behavior. This viewpoint fails to understand the biological underpinnings of aggression. Aggression is part of human nature for both men and women. It is from this biologically-informed starting point that we ought to analyze the rise of female violence. Third, and most importantly, both liberation and oppression theories fail to recognize that women's violence is not just about the battles we fight against men, but the battles we fight for them. Most explain female aggression as women fighting back against men, such as when a woman kills her abuser. True? Sometimes. But I argue that it is only part of the picture. It is imperative to distinguish between motives. Granted, some female violence is, at its core, a battle between the sexes, an extreme manifestation of our hatred for men. However, this Article suggests that most female violence is a battle among the sexes, rooted in our hatred of other women, an extreme manifestation of our love for men.

Personally, this became both a painful and pleasurable project, exposing the paradox of *girl power*. Female violence is a disturbing unintended consequence of a new wave of non-feminist feminism where girls are coming of age in a time where they are flirting with disaster. The emergence of girl violence is as much about the sexualization of violence as it is about juvenile crime. It is a complicated expression of these young women's self-perceived power and evidence of their powerlessness in the larger world. Neither liberation nor oppression theories capture this more complicated dynamic.

I argue three points. First, girls are not born sugar and spice and everything nice. Like boys, they have a biological capacity to be violent. What varies is the battlefield, the weapons, and the uniforms. Second, much of female violence within the gang structure is a rational response to the conditions in which young women find themselves. Third, culture determines when our fighting is fair. The environment plays a powerful role in giving shape and meaning to that instinctual urge which tells us "fight or flight" when we discover what we really want is so hard to get.

As the socialization of girls is changing, they do not feel that they need to be submissive. Nike tells girls to "get in the game."²⁹ Women box while men watch.³⁰

29. See Nike: *Girls in the Game* (visited July 14, 1998) <<http://www.nike.com/girls>>.

30. Bruce Davidson, *Why Box? (Women's Boxing)*, HARPER'S BAZAAR, Feb. 1, 1997, at 196. See also Bryan Ethier, *Sable Is Able! And She's More Than Willing!*, INSIDE WRESTLING, Sept. 1998, at 30; Amy Handelsman, *Women Boxing: Women are Going to War in the Ring. Why do they Brawl, and Why do Guys Watch?*, PLAYBOY, Dec. 1, 1997, at 117.

In fact, women are doing lots of sports that were traditionally men only. See, e.g., Joey Bartolomeo, *Team Barbie*, WOMEN'S SPORTS & FITNESS, June 1998, at 144 (picturing the new athletic Barbie dolls); Marlene Cimon, *Women's Running: Fast Forward*, RUNNER'S WORLD, Aug. 1998, at 1 (featuring women runners in special edition section); Dimity McDowell, *Speed Queen*, ESPN, THE MAG., July 13, 1998, at 102 (featuring women drag racers); *Inside Out*, CONDE NAST SPORTS FOR WOMEN, Feb. 1998, at 76 (highlighting tai chi, kickboxing, and working out).

Doors are being opened for women in the military.³¹ Women pump iron,³² get tattoos, and pierce their tongues.³³ Even Donna Shalala and the Department of Health and Human Services are sponsoring a National Public Education Campaign called GIRL POWER! to "help encourage and empower 9- to 14-year-old girls to make the most of their lives."³⁴ As part of this campaign, Dominique Dawes, a 1996 gold medalist in gymnastics, displays her physical agility on a poster which proclaims: *Girl Power: Have You Got It?*³⁵

Girls get it. In the words of one female gang member: "Girls is making it, fuck the fellas.... If we can work for some man selling dope, why can't we sell for ourselves? I don't need some man telling me shit, and I sure don't need some man making cash off my ass...."³⁶

Commercial feminism sells this in-your-face aggressiveness.³⁷ Buffy the Vampire Slayer kills vampires, kickboxes, and fights another girl vampire for her on-again, off-again boyfriend whom she can't decide whether to murder or marry.³⁸ Her

31. See, e.g., *United States v. Virginia*, 521 U.S. 515 (1996).

32. See Michelle Basta Boubion, *Pecs Appeal: A Woman's Guide to Building a Shapely Chest*, *MUSCLE & FITNESS*, Aug. 1998, at 91; Cory Everson, *Cory's Custom Workout*, *MUSCLE & FITNESS*, Aug. 1998, at 150; Brian Moss, *Photo Essay: Knock on Any Door*, *MUSCLE & FITNESS*, Aug. 1998, at 120.

33. See, e.g., *TATTOO MAG.*, Sept. 1998 (showing both men and women tattooed and pierced).

34. "Launched November 21, 1996, *Girl Power!* is a multiphase, national public education campaign...." U.S. Dep't of Health and Human Services, *HHS' Girl Power! Campaign Fact Sheet* (visited Apr. 1, 1999) <<http://www.health.org/gpower/campaign/factsheet.htm>>.

35. *Id.*

36. TAYLOR, *supra* note 28, at 56.

37. See Nadya Labi, *Girl Power for the Next Generation, Feminism Is Being Sold as a Glitz and Image. But What Do the Girls Really Want?*, *TIME*, June 29, 1998, at 60–62. See also Patricia Kitchen, *Summer Reading Sprinkled with a Dash of 'Girl Power'*, *NEWSDAY*, July 12, 1998, at F10; Christine Wallace, *Girl. Girl Power. Grr. Grrrr! Power*, *AUSTRALIAN FIN. REV.*, July 10, 1998, at 2 ("Girl power? Grrr. Give me 'woman power' any day. And try calling me chick and I'll kick you in the nuts."). For articles on the role of television and the attitudes of young women, see Betsy Sharkey, *Women Get More Cybillized; The Strong, Even Macho Female Lead Is Showing up in More Places on Prime Time TV*, *MEDIAWEEK*, Nov. 3, 1997, at 28. See also Sheryl Connelly, *Who is the Woman of the '90s?*, *NEW YORK DAILY NEWS*, Jan. 8, 1998, at 47; Patrick Connolly, *Girl Power*, *TENNESSEAN*, July 4, 1998, at 1D; John Doyle, *Turn Ons: It's Not Just About the Remote—Men and Women Do Watch Differently*, *GLOBE AND MAIL*, Jan. 31, 1998, at 9; Joanne Jacobs, *Feminism Is Alive and Well and Thriving in Our Teen-Age Daughters*, *BUFFALO NEWS*, July 12, 1998, at H4; Dennis King, *Oui Lass from France, a Petit Grand Dame for the Ages*, *TULSA WORLD*, July 10, 1998, at 13; Kinney Littlefield, *Women Ruled the Airwaves in a Raucous Year of Anger, Angst and Apology*, *THE ORANGE COUNTY REG.*, Dec. 28, 1997, at F26; David Martindale, *Peta Wilson: No Expectations*, *SAN ANTONIO EXPRESS-NEWS*, June 24, 1998, at 12G; Adam Rogers, *Hey, Ally, Ever Slain a Vampire?*, *NEWSWEEK*, Mar. 2, 1998, at 60; Kristi Turnquist, *TV's Action Heroines—They Slay Us!*, *PORTLAND OREGONIAN*, Nov. 13, 1997, at B1.

38. See NANCY HOLDER, *BUFFY THE VAMPIRE SLAYER: THE ANGEL CHRONICLES* (1998). See also Susan Orlean, *Girl Power: Has Sabrina the Teenage Witch Worked Her Magic on a Generation*, *NEW YORKER*, May 18, 1998, at 54 ("Girls these days do seem

hair never gets messed. *The Bionic Woman* battled for the good of the world.³⁹ Bad girls fight for themselves. Bust Magazine—"the voice of the 'new girl order'"—"sarcastically dissects often wacky sexual exploits"⁴⁰ with articles like Courtney Love's *Bad Like Me*, in which she writes: "Bad girls are 'femmenistes;' we like our dark Nars lipstick and LaPerla panties, but we hate sexism, even if we do fuck your husbands/boyfriends. We understand men, we love them, us hetero/bi bad girls."⁴¹ Queen Latifah teases us about her sexual orientation⁴² while rapping in melodic voice to a menacing beat on her CD, *Order in the Court*.⁴³ The Spice Girls, ambassadors of *girl power*, hip-hop in short skirts and big shoes to lyrics like: "I'll tell you what I want, I really, really want,"⁴⁴ selling 30 million copies.⁴⁵ Walt Disney is getting into the picture with its new movie *Mulan*, about a girl who dresses like a boy and saves China from the invading Huns.⁴⁶ The heroine rescues her guy, who then decides to court her not because of her beauty but her bravery. *Xena, Warrior Princess* (enough said). Hipness means kicking ass, just like the boys.⁴⁷

Yet, in the end, what girls really, really want is not to be boys, but attract them. Herein lies the paradox of *girl power*. *Girl power* is seductive. Aggressiveness is sexy. Girls play rough, and, at some level, enjoy it.⁴⁸ No one wants to be a

different in a Sabrina-like way.... They wear tee-shirts that say: I GO FROM ZERO TO BITCH IN 2.5 SECONDS...and they carry white vinyl scratch and sniff backpacks that say GODDESS across the front.").

39. "According to...research, conducted by the University of Michigan, and which followed more than 200 Illinois girls from childhood in the late Seventies until their mid-twenties, television series such as *Charlie's Angels* and *The Bionic Woman* represented 'a feminist breakthrough.'" Yvonne Roberts, *Danger Women*, EVENING STANDARD, Feb. 1, 1996, at 23.

40. Ginia Bellafante, *It's All About Me! Want to Know What Today's Chic Young Feminist Thinkers Care About? Their Bodies! Themselves!*, TIME, June 29, 1998 at 55 (insert).

41. Courtney Love, *Bad Like Me, Bust—The Voice of the New Girl Order* (visited July 16, 1998) <<http://www.bust.com/courtbad.html>>.

42. See Amy Linden, *From Here to Royalty*, THE SOURCE: THE MAG. OF HIP-HOP MUSIC, CULTURE AND POL., Aug. 1998, at 157.

43. QUEEN LATIFAH, *ORDER IN THE COURT* (Motown 1998).

44. SPICE GIRLS, *Wannabee*, on SPICE (Virgin 1997).

45. *Millions are Wrong; The Moment Is Past*, BUFFALO NEWS, June 28, 1998, at F1 (noting that the two Spice Girl albums have sold nearly 30 million copies). In fact, it is estimated that the Spice Girls are worth 4.5 million British Pounds or approximately \$7 million dollars each. See Hugh Sebag-Montefiore, *Britain's Highest Paid Women*, MAIL ON SUNDAY, July 5, 1998, at 43.

Baby Spice recently explained: "Girls can wear their skirts short, but it doesn't mean they don't have a brain." *The Interview: Spice Girls Have Something to Say*, DETROIT NEWS, July 13, 1998, at E6. Apparently so.

46. Heidi MacDonald, *Mulan's Greatest Moments*, DISNEY ADVENTURES, July 1998, at 27.

47. See Labi, *supra* note 37, at 62.

48. As one female boxer recently admitted, "And do I like hitting women? Yes, I do. Any woman boxer who says otherwise is a liar." Davidson, *supra* note 30, at 196. See also Ethier, *supra* note 30, at 30.

Wannabe.⁴⁹ Let's be honest. It is empowering to be fun, fearless, and female. Girls do just want to have fun.

And men love it. In a recent *Seinfeld* episode, Elaine, the show's only female lead, makes fun of one of her female co-workers, not only is she accused of being catty, but her complaints seem to excite Jerry and company about the possibility of a catfight. Later in the episode, the boys get their wish as Raquel Welch and another woman fight it out before their eyes.⁵⁰ According to *Cosmopolitan*, guys love catfights because "...if two dames are duking it out over me—because they truly want to be with me—and the winner is the brighter, more beautiful, most *fittest* babe, then I guess, by default, I'm a winner too."⁵¹ One male reviewer notes that *The Boy is Mine*,⁵² young diva-in-waiting Brandy's⁵³ new hit song and hot video, "had the potential to be a sassy, passionate cat fight between Brandy and [her] guest duet-er, Monica."⁵⁴ In fact, catfights are becoming a significant theme in pornography, with websites, magazines, sexual video games, and movies devoted to "batting broads."⁵⁵ Thus, it is not surprising that we are witnessing a certain amount of illegal violence as girls learn to make their way in the world independent from yet still attractive to men.

There is nothing glamorous about *girl power* that leads to criminal violence, however. Many girls who end up in criminal gang activity are victims as well as aggressors. Although girl violence crosses class, racial, ethnic, and geographic lines, it is particularly problematic for girls who have few social and economic options; they live in communities affected by drugs, violence, poverty, and racism. The same is true for their males counterparts. There is a critical connection between the marginalization of men and the emergence of women's violence. As long as boys in poor and minority communities are unable to live peaceful and legally legitimate lives, we are likely to

49. SPICE GIRLS, WANNABE (Virgin 1997). This term refers to those girls who are associated to the gang via boyfriends, family members, or friends, having lesser status than those girls who are members by their own actions. See SIKES, *supra* note 19, at 197-99.

50. Dennis Kyasaari, *Seinfeld, An Episode Guide* (visited April 8, 1999) <http://www.xnet.com/~djk/Seinfeld_2.shtml>.

51. Michael Lewittes, *Why Guys Love Catfights!*, COSMOPOLITAN, June 1998, at 46 (relating catfights to Darwin's notion of survival of the fittest).

52. BRANDY (WITH MONICA), *The Boy is Mine*, on NEVER SAY NEVER (Atlantic 1998).

53. Joey Guerra, *Brandy Delivers on 2nd Album*, HOUS. CHRON., June 21, 1998, at 6.

54. *Talented Teen, Average Effort*, RICHMOND TIMES-DISPATCH, July 9, 1998, at D14.

55. See *Artist Catfight!* (visited Feb. 27, 1998) <<http://ubl.com/artists/006974.html>>; *Real Catfights—Special Offer* (visited Feb. 27, 1998) <<http://www.usapublications.com/savage30.html>>; *TV Catfight Video #2* (visited Feb. 27, 1998) <<http://www.usapublications.com/savage34.html>>; *Catfight Fever Page 3* (visited Feb. 27, 1998) <<http://members.aol.com/OzoneEnts/page3.html>>; *Real Catfights—About the Book* (visited Feb. 27, 1998) <<http://www.usapublications.com/savage-2.html>>; *Real Catfights—The Video* (visited Feb. 27, 1998) <<http://www.usapublications.com/savage12.html>>; *Catfight Game Review* (visited Feb. 27, 1998) <<http://www.crl.com/~jderouen/cc/catfight.html>>; *TV Catfight Video #3* (visited Feb. 27, 1998) <<http://www.usapublications.com/savage40.html>>; *Catfighting Leather and Lace Productions* (visited Feb. 27, 1998) <<http://www.leather-lace.com/LL-Catfighting/LL-Catfightingpg1.html>>.

see more girls turning to violence as they compete with each other for resources and "a few good men."⁵⁶

The legal system remains ambivalent about what to do with these young women. Contrary to popular misconceptions, while girls are often treated more harshly than boys when they commit minor crimes and status offenses, they are treated more leniently for serious offenses, including violence; their really egregious behavior is pathologized rather than punished.⁵⁷ The legal system treats them as mad girls, not bad girls. The reasons for this, like the reasons for women's violence itself, are many. Chivalry and paternalism partially explain why we discount girls. Yet, in many ways, this ambivalence mirrors our own cultural confusion about the interplay of sex, violence, and power. We are, at once, aroused and repulsed by girl violence. The gender-difference/gender-sameness debate in the criminal law reflects the struggle of Madonna: now mother and whore.

Understanding this paradox will hopefully lead to a more sophisticated analysis of what is happening to young women and how the legal system can best respond. Admittedly, there are no easy answers. Empowerment sometimes means treating girls the same as boys and sometimes treating them differently. For example, understanding female violence as intra-sex competition suggests that much of this behavior is instrumental—a reasonable response to the world in which these girls live. Thus, females ought to be considered autonomous and responsible beings when they choose to be violent. As those early feminists at the Seneca Falls convention argued in their Declaration of Sentiments, men ought not to withhold from women "the right to be held accountable for crime...."⁵⁸ As *Ms. Magazine* celebrates *150 Outrageous Acts and Bad, Bad Girls* to honor the 150th anniversary of the Seneca Falls Convention,⁵⁹ we are cautioned that advocating special treatment that excuses women's individual behavior in the criminal context may come at the expense of undermining our advancement in noncriminal arenas where aggression is instrumental.⁶⁰ Ultimately, we undermine female empowerment by denying the many forms that *girl power* can take.

56. Anne Campbell, *A Few Good Men: Evolutionary Psychology and Female Adolescent Aggression*, 16 *ETHOLOGY & SOCIOBIOLOGY* 99 (1995).

57. See *infra* notes 274–77 and accompanying text.

58. NAOMI WOLF, *FIRE WITH FIRE: THE NEW FEMALE POWER AND HOW IT WILL CHANGE THE 21ST CENTURY* 201 (1993).

59. Amy Aronson, *Outrageous Acts and Bad, Bad, Girls*, *MS. MAG.*, July/Aug. 1998, at 68–75 (honorees include Susan Brownmiller, Angela Davis, Andrea Dworkin, Betty Friedan, Eleanor Roosevelt, Patti Smith, Mae West, Roseanne, and Madonna—You go girls!)

60. For example,

Witnesses on behalf of VMI testified that most women are physically weaker than men, are more emotional, cannot withstand stress as well as men, are less aggressive, and have more than a hundred physiological differences that contribute to a 'natural hierarchy' that makes the sexes unable to compete on equal terms.

Christopher H. Pyle, *Women's Colleges: Is Segregation by Sex Still Justifiable After United States v. Virginia?*, 77 *B.U. L. REV.* 209, 242–44 (1997).

Sometimes sex matters, however. On a practical level, when programs and policies address female violence, if they exist at all, they ought to address gender-specific issues. They also must be put to the scrutiny of solid empirical evaluations before conclusions about their success can be drawn. At this point, we should be humbled by how little we know about what works best for young women.

Gang girls are not engaging in aggression of a different kind than the *Spice Girls*, but a different degree. For both, it is aggression rooted in their sexuality. But *Spice World*⁶¹ is not the real world. Girl gangs illustrate how the worst social conditions can heighten female competition as well as how cooperation can be the ticket out of this conundrum. This more nuanced approach is intended to unmask the politics of female aggression, exposing the ways in which the lives of young women are often (mis)used to promote political and commercial agendas which rarely, if ever, have any direct impact on their day to day existence. Girl gangs reflect the ways in which all of us—women academics included—are caught within the paradox of *girl power*.

In Part I, I briefly describe both sides of the liberation/oppression debate and suggest ways in which it has been co-opted by commercial feminism. I then turn to evolutionary psychology as a starting point for analyzing female aggression. Inspired by Anne Campbell's theory of social representations, I suggest that any analysis of female aggression and girl gangs must incorporate biological, social, and cultural factors. In Part II, girls speak for themselves through existing work on girl gangs, focusing on their initiation and exit, their relationships with other girls, and the ways in which they describe their own sexuality as related to violence. In Part III, I discuss the relevance of this analysis for the law. Part IV concludes with a plea to those of us who work in this area to further discuss female competition in other areas of the law and our lives. The criminal justice system, at the urging of women scholars and activists in particular, has made great strides in understanding and addressing male violence.⁶² It is now time to confront the feminine side of violence before what is good about *girl power* becomes bad.

61. SPICE WORLD (Columbia/TriStar Studios 1997). It is interesting to note that in *Spice World*, the men are completely marginalized. The premise of the movie is that the Spice Girls rebel against their evil male manager, showing up just under the wire for their first on-the-air live concert so that they can be with their pregnant girlfriend who is about to be a single mother. In the process of their antics, the girls fight with each other but, in the end, stick together. There are no romantic relationships with boys although they talk about them constantly. *Id.* It has earned \$114 million before rental. See *Millions are Wrong*, *supra* note 45. SPICE WORLD is truly a post-feminist fairytale.

62. See, e.g., LINDA A. FAIRSTEIN, *SEXUAL VIOLENCE: OUR WAR AGAINST RAPE* (1993) (discussing legal reform for rape victims); Cheryl Hanna, *No Right to Choose: Mandated Victim Participation in Domestic Violence Prosecutions*, 109 HARV. L. REV. 1849 (1996); Cheryl Hanna, *The Paradox of Hope: The Crime and Punishment of Domestic Violence*, 39 WM. & MARY L. REV. 1505 (1998) (reviewing criminal legal reform efforts on behalf of victims of domestic violence).

I. WE GOT NEXT: WOMEN CRIMINOLOGISTS GET A LEAGUE OF THEIR OWN

When traditional male dominated criminology has attempted to understand and explain female aggression, it left us with the legacy that "violent women must be either trying to be men or just crazy."⁶³ Much of this androcentric perspective on female violence is based on the assumption that there are inherent biological or physiological differences between the sexes.⁶⁴ Women are, and therefore ought to be, passive, fulfilling their primary sexual role as wife and mother. Men, in contrast are naturally competitive and aggressive, justifying their place on the battlefields, in boardrooms, and bedrooms. As a result of this long line of deterministic arguments, two images of women emerged: good/normal/nonaggressive/noncriminal women and bad/abnormal/aggressive/criminal women. In other words, women should lay back and take it.

When women scholars were finally able to join the ranks of criminology,⁶⁵ they did not take it. Determined not to simply be an appendage to their male forebears, feminist criminologists have shifted analysis away from inherent biological differences between the sexes and instead focused on socially constructed differences. The feminist critique exposes the politics of the good girl/bad girl dichotomy by challenging sexist assumptions that were often used to justify and rationalize gender discrimination.⁶⁶ It introduces the ways in which social forces—culture, economics, racism, and classism—affect the expression of female aggression. It has been a welcome and needed shift in analysis. As Jacquelyn W. White and Robin M. Kowalski have argued,

Acknowledging the reality of female aggression is not inconsistent with feminist goals.... Empowerment comes from the knowledge gained by naming.... Thus, the question is not who is more aggressive. In fact, available data does not provide a clear answer to this question. Rather, the important questions concern the cultural, social, and

63. ANNE CAMPBELL, *MEN, WOMEN AND AGGRESSION* 144 (1993). For a review of this book, see Jo Dixon, *The Nexus of Sex, Spousal Violence and the State*, 29 L. & SOC'Y REV. 359 (1995). See also *infra* notes 119–20 and accompanying text.

64. See *infra* notes 119–20 and accompanying text.

65. See SIBYLLE ARTZ, *SEX, POWER, & THE VIOLENT SCHOOL GIRL* 10 (1998) (arguing that interest in female crime and delinquency arose in the 1970s, in part because of the involvement of more women in scholarship).

66. See MEDA CHESNEY-LIND & RANDALL G. SHELDEN, *GIRLS, DELINQUENCY, AND JUVENILE JUSTICE* 93 (1992); RITA JAMES SIMON, *WOMEN AND CRIME* 3 (1975); Meda Chesney-Lind, *Girls, Gangs and Violence: Anatomy of a Backlash*, 17 HUMANITY & SOC'Y 321 (1993); Dorie Klein, *The Etiology of Female Crime: A Review of the Literature*, in *THE CRIMINAL JUSTICE SYSTEM AND WOMEN: WOMEN OFFENDERS, VICTIMS AND WORKERS* 35 (Barbara Raffel Price & Natalie J. Sokoloff eds., 1982); Dorothy E. Roberts, *The Meaning of Gender Equality in Criminal Law*, 85 J. CRIM. L. & CRIMINOLOGY 1, 8 (1994); Carol Smart, *Proscription, Prescription, and the Desire for Certainty: Feminist Theory in the Field of the Law*, in *LAW, CRIME AND SEXUALITY: ESSAYS IN FEMINISM* 203 (1995).

psychological circumstances surrounding incidents of aggression by women and men.⁶⁷

Women scholars have, to a large degree, debunked the myth of innocence.⁶⁸

Now a new battle has begun. Using words as their weapons, predominantly, although not exclusively, female scholars are fighting a turf war over which social factors are to blame for female violence. While theories of female aggression have become increasingly sophisticated and refined, two dichotomous schools of thought have emerged: liberation feminists on one side,⁶⁹ oppression feminists on the other.⁷⁰ Underlying these arguments are two very different images: girls are either powerful or powerless in relation to boys. They are characterized as either agents or victims. Essentially, both sides have turned the tables on their biological brothers. We are all good girls, either willing to accept our just desserts, just like the boys; or we would be good if the boys would leave us alone. Ironically, however, like our traditional male counterparts, feminist criminologists have much vested in which image wins out, albeit to serve quite different political objectives. This fighting is futile, disconnecting us from girls who grow up in a world where a multitude of factors affect their lives. What *girl power* means is far more complex than either of these polarized images suggest.

Both perspectives are conspicuously silent on one crucial point: girls are their own best friends and worst enemies. This silence is understandable. It is painful to admit that aggression is as much about our internal battles as our external ones. Discussing female competition is against the rules. It is a sexual transgression. It is taboo.

Girl gangs offer a unique and real life phenomenon in which to explore the ways in which females both compete and cooperate with each other. Any analysis of why young women are becoming more violent must acknowledge that, at some level, aggression is rooted in these girls' desire to attract the best boys they can. To do so, they will both gang up with each other and against each other. While the desire to attract mates is the motivating factor at the origins of these behaviors, girls are deeply shaped by culture. Girls today are becoming more violent at a particular point in history: the height of the *girl power* movement in a culture of violence. As William Stacey and Anson Shupe argue,

67. Jacquelyn W. White & Robin M. Kowalski, *Deconstructing the Myth of the Nonaggressive Woman: A Feminist Analysis*, 18 PSYCHOL. OF WOMEN Q. 487, 503-04 (1994).

68. Recent scientific research confirms this debunking. For example, researchers in England have found that although women sustain more serious injuries than men during domestic disputes, overall they are just as likely as men to resort to physical aggression during an argument with a sexual partner. See Abigail Zuger, *A Fistful of Hostility Is Found in Women*, N.Y. TIMES, July 28, 1998, at F1. See also Mary B. Harris, *Aggression, Gender and Ethnicity*, 1 AGGRESSION & VIOLENT BEHAV. 123 (1996) (reviewing a number of studies on aggression as they relate to gender and ethnicity and finding that women do tend to be aggressive verbally). As well as providing an outstanding bibliography on research on female aggression, this article also explains the methodological shortcomings of self-reported data. *Id.* at 139-40.

69. See *infra* notes 76-79 and accompanying text.

70. See *infra* notes 80-120 and accompanying text.

[W]e think that there is good reason to believe that a cult of violence is spreading throughout our society and effecting every sector. By "cult" we do not mean that it is an organized movement or conspiracy. Rather, it is a cultural pattern, a trend. The glorification of violence in motion pictures, television and books, and the electronic media's technical sophistication that shows us violence realistically but makes it exciting contributes to this cult. But that is not the cause. The cult is an acceptance of violence, learning to expect it, to tolerate it, and to commit it, however much one dreads it. This cult is stimulated by a violent environment that affects each generation of men and women, making them more desensitized to the problem.⁷¹

At the same time culture becomes more violent, girls no longer have to be sexually passive, but can explore and display their sexual selves like never before. So long as commercial feminism sells the idea that being aggressive is sexy and boys buy it, girls will adapt their behavior to attract them. Consequently, we are likely to see a rise in female adolescent violence. Thus, liberation feminists have it partially right.

Yet, the reason why girls in predominately poor urban areas are more violent is because they have more to gain and less to lose. This is not to suggest that middle-class white girls are not violent.⁷² Their violence is likely unreported and undetected. Arguably, however, violence by middle and upper class girls, regardless of race, is more easily escapable in comparison to their socially-oppressed sisters, either because

71. See, e.g., WILLIAM STACEY & ANSON SHUPE, *THE FAMILY SECRET: DOMESTIC VIOLENCE IN AMERICA* 196 (1983). While the authors reach this conclusion from a study of 542 case histories and 2096 telephone interviews in a study of family violence, their observations are even more poignant today.

In fact, researchers have found that the influence of television violence may correlate with overall aggressive behavior in both girls and boys, in both the long and the short term. See Zuger, *supra* note 68, at F5 (citing twenty year study of 300 Chicago-area children researchers, which found that the more television violence children watched, the more aggressive the man or woman became). "For instance 16.7% of the young women who had been 'high violence' television viewers as girls reported having punched, beat, or choked another adult, in contrast to 3.6% of the others." *Id.* See also Edward Donnerstein & Daniel Linz, *The Media, in CRIME* 237 (James Q. Wilson & Jane Petersilia eds., 1995) (reviewing the research on the mass media and violent aggression).

72. See, e.g., ARTZ, *supra* note 65 (describing her study of violent Canadian school girls); SIKES, *supra* note 19, at 118-19 (describing middle class gangs composed of white suburban teenagers). See also Peter Marsh & Renée Payton, unpublished interview transcripts, Vols. 1-5. Research supported by Social Science Research Council (HR 8379) and the Economic and Social Research Council (G00230113) (1984) (on file with author); Peter Marsh & Renée Payton, *Gender, Social Class and Conceptual Schemes of Aggression, in VIOLENT TRANSACTIONS: THE LIMITS OF PERSONALITY* 59 (Anne Campbell & John J. Gibbs eds., 1986). In their work, Marsh and Payton conducted extensive interviews with British schoolgirls about their own aggression, concluding that "[h]ighest on their list, however, was 'rumour-spreading' or sexual insult. It was agreed that it was wholly justifiable to use physical violence in the defence of one's sexual reputation: 'If someone slags you off—calls you a tart or something you've got to be able to do something about it.'" *Id.* at 62.

they are less likely to find their way into the criminal justice system,⁷³ or because they have financial and social opportunities that make engaging in violent aggression too costly. In contrast, girl gangbangers face a multitude of obstacles which increases the likelihood that they will turn to gangs and sometimes violent aggression. As conditions worsen in marginalized communities, we are likely to see more girls turning to violence as they compete for status in a world where one's gang affiliation defines where one falls on the pecking order. Thus, oppression feminists, too, have it partially right. In the sections that follow, I explore both the liberation and oppression viewpoints in more depth and then turn to Anne Campbell's theory of social representations to offer an alternative framework for understanding female competition and cooperation as manifested in the lives of female gang members.

A. *Free to Be You and Me*

Liberation theorists argue that as women in American society gain access to traditional male power structures, they will also become more violent as they adopt male roles. Violence is masculine; girls are just learning to be more like boys. As opportunities for women improve, they will turn to crime, just like men. Freda Adler's *Sisters in Crime*, published in 1975 at the height of the second wave of feminism, wrote

Girls are involved in more drinking, stealing, gang activity, and fighting—behavior in keeping with their adoption of male roles. We also find increases in the total number of female deviances. The departure from the safety of traditional female roles and the testing of uncertain alternative roles coincide with the turmoil of adolescence creating criminogenic risk factors which are bound to create this increase.⁷⁴

As proof, Adler and her followers focused primarily on women's economic liberation and greater participation in labor market as a casual factor in the increase in female crime.⁷⁵

Although Adler's work has been attacked methodologically and statistically,⁷⁶ feminist-inspired scholarship has continued to suggest that women's

73. See MEDA CHESNEY-LIND, *THE FEMALE OFFENDER, GIRLS, WOMEN AND CRIME* 177 (1997) (arguing that "[a]fter the arrest, the juvenile justice system has increasingly evolved into a two-track system—one for white girls and another for girls of color").

74. FREDA ADLER, *SISTERS IN CRIME: THE RISE OF THE NEW FEMALE CRIMINAL* 95 (1975). See also SIMON, *supra* note 66 (reviewing liberation and opportunity theses to explain female crime).

75. See ADLER, *supra* note 74; SIMON, *supra* note 66.

76. See CHESNEY-LIND, *supra* note 73, at 36–37, 115; Kathleen Daly, *Gender and Varieties of White Collar Crime*, 27 *CRIMINOLOGY* 769 (1989); Carolene Gwynn, *Women and Crime: The Failure of Traditional Theories and the Rise of Feminist Criminology*, 19 *MONASH U. L. REV.* 92, 100 (1993); Darrell Steffensmeier & Emilie Allan, *Gender and Crime: Toward a Gendered Theory of Female Offending*, 22 *ANN. REV. SOC.* 459 (1996); Darrell Steffensmeier, *National Trends in Female Arrests, 1960–1990: Assessments and Recommendations for Research*, 9 *J. QUANTITATIVE CRIMINOLOGY* 411 (1993).

liberation is likely to lead to more female offending.⁷⁷ For example, Deborah R. Baskin, Jeffery Fagan, and Ira Sommers have written a series of articles examining violent crime patterns in New York City, lending a more sophisticated class and race analysis.⁷⁸ They still embrace the liberation hypothesis as applied to the girl gang context, suggesting that violent behavior is adaptive. They conclude that "women in inner city neighborhoods are being pulled toward violent street crime by the same forces that have been found to affect their male counterparts...[creating] new dynamics of crime where gender is a far less salient factor."⁷⁹ Women, like men, move towards crime as a way of adapting to their economic and social deprivation.⁸⁰ They caution that emphasizing the victimization of women relative to men denies women's agency, rendering them powerless.⁸¹

Almost a quarter century old, liberation theories are coming back into vogue, co-opted by much of the commercial feminism phenomenon which celebrates these femme fatales of the women's movement. Naomi Wolf's book, *Fire with Fire*, embraces the power that comes from liberation, calling on women to enjoy their new-found freedom and accept responsibility for their wrongdoing. She argues,

This "feminist" reluctance to assign women responsibility for their actions, evil as well as good, mirrors the opposition's traditional claim that women are children, incapable of signing a contract, managing their own affairs, bearing witness in court, or voting.... Accountability for crime sounds, from a victim feminist point of view, like an odd "right" to demand. But the moral adulthood of power feminism knows that real justice is not a sentimental pardon, but a contract or covenant, and that the sword of justice has two sides.⁸²

Patricia Pearson, in her recent book, *When She Was Bad*, attacks what she calls the paradox of modern feminism: "We cannot insist on the strength and competence of women in all the traditional masculine arenas yet continue to exonerate ourselves from the consequences of power by arguing that, when the course of it runs out more darkly, we are actually powerless."⁸³ By employing the compelling rhetoric

77. SIMON, *supra* note 66; RITA J. SIMON & JEAN LANDIS, *THE CRIMES WOMEN COMMIT, THE PUNISHMENTS THEY RECEIVE* (1991); Josefina Figueira-McDonough & Elaine Selo, *A Reformation of the "Equality Opportunity" Explanation for Female Delinquency*, 26 *CRIME & DELINQ.* 333 (1980) (arguing that crime results from high aspirations and few legitimate opportunities, not because of an inherently unequal system).

78. Deborah R. Baskin et al., *The Political Economy of Female Violent Street Crime*, 20 *FORDHAM URB. L.J.* 401 (1993); Ira Sommers & Deborah R. Baskin, *Sex, Race, Age, and Violent Offending*, 7 *VIOLENCE & ITS VICTIMS* 191 (1992).

79. Baskin et al., *supra* note 78, at 413.

80. *Id.*

81. *Id.*

82. WOLF, *supra* note 58, at 201.

83. PATRICIA PEARSON, *WHEN SHE WAS BAD: VIOLENT WOMEN & THE MYTH OF INNOCENCE* 32 (1997). *See also* Larissa MacFarquhar, *Femmes Fatales*, *NEW YORKER*, Mar. 9, 1998, at 88-91 (reviewing that this "new group of nineties feminists has made it its business to discover murderous and otherwise unpleasant from the past in order that they can receive the recognition they long deserved"). For other examples of modern authors who equate modern feminism with victimization, see CHRISTINA HOFF-SOMMERS, *WHO STOLE FEMINISM: HOW*

of *girl power*, liberation theories conclude that gender ought not factor into legal or policy decision-making. Ultimately, girl violence is the price we pay for emancipation from men.

Indeed, we may be paying some price. In 1975, Rita Simon, drawing from Adler's work, speculated that a possible side effect of the women's liberation movement might be the decline of chivalry—the more lenient treatment of female offenders by criminal justice personnel.⁸⁴ Fifteen years later she concludes:

There is one avenue, however, through which the women's movement may already be having a significant impact on women in crime. The movement's rhetoric and activities may alter the treatment that women offenders receive at the hands of police, prosecutors, and other law enforcement personnel.... "If it's equality these women want, we'll see that they get it."⁸⁵

It remains to be seen to what extent these juvenile female offenders are getting what they really, really want.

The precise role that women's economic liberation has played in the increase in female violence is difficult to measure.⁸⁶ Nevertheless, liberation theories offer something of value if we redefine liberation in terms of sexual, rather than economic liberation. As young women perceive themselves as owning their sexuality and are able to express and control it on their own terms, they are likely to be more aggressive.

WOMEN HAVE BETRAYED WOMEN (1994); CAMILLE PAGLIA, *SEXUAL PERSONAE: ART & DECADENCE FROM NEFERITI TO EMILY DICKINSON* (1990); KATIE ROIPHE, *THE MORNING AFTER: SEX, FEAR & FEMINISM* (1993); ELIZABETH WURTZEL, *BITCH: IN PRAISE OF DIFFICULT WOMEN* (1998).

84. SIMON & LANDIS, *supra* note 77, at 11–13. Simon and Landis discuss the chivalry thesis and argue that current research shows that not all women have been the recipients of lenient treatment. "Rather, only those women whose actions during their encounters with police are consistent with appropriate gender stereotypes have become the beneficiaries of chivalry." *Id.* at 12. See also KATHLEEN DALY, *GENDER, CRIME & PUNISHMENT* (1994) (finding that, in her study of 40 women who appeared in New Haven's felony court, lenient treatment was related to the type of offense). For a review of this book, see Mary Coombs, *Putting Women First*, 93 MICH. L. REV. 1686 (1995).

85. SIMON & LANDIS, *supra* note 77, at 23 (emphasis added).

86. See, e.g., Deborah Richardson et al., *Female Aggression as a Function of Attitudes Towards Women*, 6 SEX ROLES 265 (1980). In this study, the authors found that women with liberal views are less aggressive than women with traditional views. This aggression trend has also been reflected in studies of males with liberal and traditional views. While almost two decades old, this study does suggest that cultural norms of liberation may affect women differently depending on their views of womanhood. It would be fascinating to undertake the same analysis today. See also Meda Chesney-Lind, *Female Offenders: Paternalism Reexamined*, in WOMEN, THE COURTS & EQUALITY 114 (Laura L. Crites & Winifred L. Hepperele eds., 1987); Jill Rosenbaum & Meda Chesney-Lind, *Appearance & Delinquency: A Research Note*, 40 CRIME & DELINQ. 250, 258 (1994). The authors found that women are judged by culturally derived standards in all walks of life, including the criminal justice system. "Attractive female offenders, whose offense was not appearance-related (burglary) received greater leniency than unattractive offenders. However, when the offense was attractiveness-related (swindle), attractive offenders received harsher sentences than their unattractive counterparts." *Id.* at 251.

In many ways, girls are emulating the in-your-face female behavior of the Spice Girls, only to a much greater degree.⁸⁷ Thus, girl culture has encouraged our innate aggression to come out of the closet and go on display.

B. *Queens for the Day*

In contrast, oppression theorists argue that the image of the violent female offender is largely a result of backlash⁸⁸ and either deny that girls are becoming more violent, or explain female violence as a response to patriarchal/racist/classist conditions. Meda Chesney-Lind, in her recent book, *The Female Offender: Girls, Women and Crime*, argues that there has not been any dramatic shift in women's share of violent crime, at least as measured by arrest statistics.⁸⁹ Rather, she asserts that: "Th[e] most recent women's 'crime wave' appears to be a cultural attempt to reframe the problems of racism and sexism in society. As young women are demonized by the media, their genuine problems can be marginalized and ignored. Indeed, the girls have become the problem,"⁹⁰ and that "gang has become the code word for race."⁹¹

Chesney-Lind is right to point out that when white girls gang together, they are not treated like racial and ethnic counterparts. It is difficult to locate much descriptive research on white gangs.⁹² Girlbikers, the female counterpart to the motorcycle gang, for example, mirror much of the behavior of their African-American and Hispanic gangbangers.⁹³ They too are often poor and experience similar horrors like sexual exploitation and child abuse.⁹⁴ Yet, they are rarely studied or identified as "gangs"⁹⁵ even though they do pose a challenge to law enforcement.⁹⁶ Ironically, poor

87. As they say, "We know how we got this far, strength and courage and a wonder bra." SPICE WORLD (Columbia/TriStar Studios 1997).

88. CHESNEY-LIND, *supra* note 73, at 30; Meda Chesney-Lind, *Girls, Gangs, & Violence: Anatomy of Backlash*, 17 HUMAN. & SOC'Y 321, 339-40 (1993) (arguing that the female "crime wave" is an attempt to reframe the problems of racism and sexism in society).

89. CHESNEY-LIND, *supra* note 73, at 118 (1997).

90. *Id.* at 57.

91. *Id.*

92. For literature on white gangs in general, and white female gangs in particular, see ARTZ, *supra* note 65 (detailing her study of violent non-marginalized Canadian school girls); KLEIN, *supra* note 19; Columbus B. Hopper & Johnny Moore, *Women In Outlaw Motorcycle Gangs*, 18 JOURNAL CONTEMP. ETHNOGRAPHY 363 (1990) (presenting research on a 17 year study of outlaw bikers and their female associates); Malcolm W. Klein, *Street Gang Cycles*, in CRIME, *supra* note 71, at 217-18 (arguing that we need to expand our definition of gangs to include white supremacist groups like skinheads, motorcycle gangs, and prison gangs); Walter B. Miller, *The Molls*, 11 SOC'Y 32-35 (1973) (describing Irish female gangs in Boston); Walter B. Miller, *White Gangs*, in DEVIANCE IN AMERICAN LIFE 167 (James M. Henslin ed., 1989).

93. Hopper & Moore, *supra* note 92, at 379.

94. *Id.* at 376, 378.

95. *Id.* at 366 (noting that everything written on outlaw motorcycle gangs has focused on men in groups).

96. *Id.* at 373-75 (finding that, in their study of female bikers, many were expected to engage in economic pursuits for individual men and the entire club. This could include "table dancing," topless or nude dancing, or legal jobs as secretaries). See also *Girlz in the*

white girls receive the least amount of attention in contemporary scholarship, arguably because of racist assumptions about who constitutes a danger to society.⁹⁷

Chesney-Lind, who has studied female juvenile delinquency in Hawaii for two decades and is one of the leading experts in this area,⁹⁸ concludes that to understand female violence, we have to understand the intersections of race, class, and gender. However, her primary analysis remains gendered. "Girls are aware early in life that, although girls and boys have similar problems, girls 'have it heaps worse.'"⁹⁹ For Chesney-Lind, gang girls are victims in every respect. The life of these girls, she writes, is not "liberation." Rather, "[o]f particular significance are those elements of female gangs that provide the girls with the skills to survive in their harsh communities while also allowing them to escape, at least for a while, from the bleak future that awaits them."¹⁰⁰

While others have acknowledged that, in fact, female violence is on the rise, they have shifted focus away from liberation theories, instead explaining female violence in terms of oppressive social forces. In their review of recent research on girl gangs, for example, Randall G. Sheldon and colleagues write: "For most gang girls, and indeed most girl delinquents in general, being a victim and/or witnessing victimization within their own home is something they have grown used to. Much like their male counterparts, they experience a great deal of indirect violence in the sense that they see so much around them in their neighborhoods."¹⁰¹

L.T. Fishman, in re-examining her study of the Vice Queens in Chicago in the 1960s, a predominately African-American female gang, concludes that the social and economic context in which these girls live explains why they are in gangs:

[B]lack girls who join gangs today are no different than their sisters, the Vice Queens, but they have gone one step further. In response to the economic crisis within their communities, black female gangs today have become more entrenched, more violent and more oriented to "male" crime. These changes in the content of the black female gang appear not to be related to the women's liberation movement but to

'hood, *supra* note 19, at 17 ("The females who associate with outlaw motorcycle gangs sometimes try to appear 'average' in order to secure employment by government agencies, particularly police record bureaus, to gather intelligence information for their gangs.").

97. See also Hopper & Moore, *supra* note 92, at 379 (noting that one difficulty in studying bikergirls is that they move around a lot in comparison to street gangs members who generally grow up and stay in the area in which the gang operates).

98. For an interesting interview with Chesney-Lind, see *We Matter: The Lives of Girls and Women: An Interview with Meda Chesney-Lind*, 19 AMER. J. CRIM. JUST. 287 (1995). In this interview she says, "It's important to have fun doing what you're doing.... We have to realize that our academic careers aren't all that important. What is important is how we do our part of the work: improving social justice. We need to think about that, and we need all the help that we can get. We have to support each other." *Id.* at 300. Personally, I could not agree more. See *infra* Part IV.

99. CHESNEY-LIND, *supra* note 73, at 22-23 (citing C. Adler, *Unemployed Women Got it Heaps Worse*, 19 AUSTRALIAN & NEW ZEALAND SOC'Y OF CRIMINOLOGY 210 (1986)).

100. Chesney-Lind, *supra* note 88, at 333.

101. Sheldon et al., *supra* note 22, at 26-27 (internal citations omitted).

forced "emancipation" that stems from the economic crisis within the black community.¹⁰²

Analyzing girl gangs along the multi-dimensional lines of gender, race, and class has been important. It ultimately gives voice to the differences as well as similarities of these predominantly marginalized women. It shows how physical and sexual abuse, drugs, poor environmental and economic conditions, violent schools and broken families, and high incarceration rates plague the most vulnerable in our society. From this viewpoint, some argue that female violence is excusable or justifiable given the victimized context in which women find themselves.¹⁰³ These girls pay too high a price for a small slice of the liberation pie.

Despite its many contributions, there are destructive aspects of the oppression feminist viewpoint. Oppression feminists undermine, to a large degree, both the ways in which these girls perceive their own power and find pleasure in their lives. They also minimize the ways in which girl gangs do provide avenues for independence and self-expression. Not everything in their lives is about victimization.¹⁰⁴ At least the girls do not think so.

Furthermore, oppression feminists dismiss many valuable insights that their male colleagues can make when examining female behavior through a different lens. Studies of girl gangs are discredited when conducted by males or embrace what some call an androcentric approach. Some feminist criminologists argue that when studies point out the sexual element of the gang structure, it revives sexism.¹⁰⁵ Even those who attempt a post-modern analysis of patriarchy are easily dismissed if they are not "feminist enough." For example, Meda Chesney-Lind criticizes Hagan's framework of power and control, in which he and his colleagues argue that girls commit less crime than boys because they are controlled by the patriarchy.¹⁰⁶ She argues that Hagan's framework provides too narrow a view of patriarchy by focusing on the girls' family structures.¹⁰⁷ Work by male criminologists is considered to embody a "distinctly masculine perspective."¹⁰⁸ Studies like Carl Taylor's *Girls, Gangs, Women and Drugs*,¹⁰⁹ and Martin Sanchez-Janowski's *Islands in the Streets: Gangs and*

102. L. Fishman, *The Vice Queens: An Ethnographic Study of Black Female Gang Behavior* (Nov. 1998), paper presented at the Annual Meeting of the American Society of Criminology in Chicago, as cited in Shelden et al., *supra* note 22, at 37.

103. See, e.g., CAMPBELL, *supra* note 63, at 151-52 (arguing that learning about the nature of women's aggression as well as their exercise of self-control can better educate male jurists and defense lawyers); CHESNEY-LIND, *supra* note 73, at 178 (arguing that decarcerating female offenders is one solution).

104. See, e.g., Wendy Anton Fitzgerald, *Stories of Child Outlaws: On Child Heroism and Adult Power in Juvenile Justice*, 1996 WIS. L. REV. 495, 539 (1996) ("I am amazed to hear children tell me again and again that they do not dwell on whom to blame for their plight. Instead, these children speak of a singular focus on respecting themselves and preserving their own integrity, regardless of the response or neglect from the adults they encounter.").

105. See CHESNEY-LIND, *supra* note 73, at 47-48.

106. *Id.* at 21.

107. Chesney-Lind, *Women and Crime: The Female Offender*, 12 SIGNS 78 (1986).

108. CHESNEY-LIND, *supra* note 73, at 47.

109. TAYLOR, *supra* note 28.

American Urban Society,¹¹⁰ are discounted as minimizing and distorting motivations and roles of female gangbangers. They are accused of describing the female from the male gang member's experience or the "male" point of view.¹¹¹ The tone and content of these critiques is disturbing. Like Kersti Yllo has argued: "Feminist scholars and activists with strong convictions are labeled ideologues.... At the same time, feminist deepen the chasm by dismissing nonfeminist insights too quickly and hastily deciding who 'gets it' and who doesn't."¹¹²

Everyone now wants to be Vice Queen for the day, harkening back to the 1950s television game show, *Queen for a Day*, where the woman contestant who convinced the audience that she had the worst problems won the prize. Indeed, tiaras are high fashion. In Mary Pipher's *Reviving Ophelia*, her study of predominantly white, middle-class adolescent girls whose parents have the funds to pay or the wherewithal to get them into therapy, she paints a bleak picture of the lives of young women:

Many of the pressures girls have always faced are intensified in the 1990s. Many things contribute to this intensification: more divorced families, chemical addictions, casual sex and violence against women. Because of the media, which Clarence Page calls "electronic wallpaper," girls all live in one big town—a sleazy, dangerous tinsel town with lots of liquor stores and few protected spaces. Increasingly, women have been sexualized and objectified, their bodies marketed to sell tractors and toothpaste. Soft- and hard-core pornography are everywhere. Sexual and physical assaults on girls are at an all-time high. Now girls are more vulnerable and fearful, more likely to have been traumatized and less free to roam about alone. This combination of old stresses and new is poison for our young women.¹¹³

Such claims of victimization highlight the politics and profitability of being powerless in contemporary discourse.¹¹⁴ They also obscure the multi-faceted differences that oppression feminists have brought to our attention.¹¹⁵ Oppression rhetoric is equally as compelling as liberation rhetoric, calling on our collective moral conscious to pay

110. MARTIN SANCHEZ-JANKOWSKI, ISLANDS IN THE STREETS: GANGS AND AMERICAN URBAN SOCIETY (1991), as cited in CHESNEY-LIND, *supra* note 73, at 47.

111. CHESNEY-LIND, *supra* note 73, at 47. See generally Anne Campbell, *Female Participation in Gangs*, in GANGS IN AMERICA 163–82 (R. Huff ed., 1990).

112. Kersti A. Yllo, *Through a Feminist Lens: Gender, Power, and Violence*, in CURRENT CONTROVERSIES ON FAMILY VIOLENCE 47, 59 (Richard J. Gelles & Donileen R. Loseke eds., 1993) (discussing the same phenomenon in the domestic violence context).

113. MARY PIPHER, *REVIVING OPHELIA* 27–28 (1994).

114. See generally Martha Minow, *Surviving Victim Talk*, 40 U.C.L.A. L. REV. 1411 (1993) (arguing that the failure to differentiate among the forms and severity of violence minimizes and ultimately trivializes it). See Hanna, *Paradox of Hope*, *supra* note 62, at 1562–72, 1583 (arguing that we should not lump all violent men into the single category of batterer as such a narrow view trivializes violence and concluding "all men are not alike").

115. See, e.g., Wing & Willis, *supra* note 19, at 158 ("The black female gang member's social class, culture, family, norms and values, opportunities, role models, friends and peers, victimization, and powerlessness are all factors that affect black females' criminality and gang involvement.").

attention to girls, to provide them with resources, to teach them how to make their lives better. It also ignores that boys, like girls, struggle themselves. They too are often victims of their race, class, and gender. Boys face many barriers as they come of age as well.

Indeed, Donna Shalala's *Girl Power!* campaign is based on implicit assumptions about the relative disadvantages adolescent girls face in comparison to boys.¹¹⁶ It has a chorus of endorsers from the Girl Scouts to the American Association of University Women.¹¹⁷ The program distributes packets to concerned adults to teach girls the new rules: "Say no to cigarettes. Say yes to sports."¹¹⁸ It's *Shalala World*.

C. *We've Come a Long Way from Lombroso*

What is it about fighting females that captures our attention? Anne Campbell, through her extensive work on female aggression, posits a theory which leaves room for both liberation and oppression feminist views on female violence in general and girl gangs in particular. While incorporating a biological perspective, she makes an elegant argument as to why there is nothing *per se* deterministic about biological sex differences.¹¹⁹ Her perspective offers a unique and welcome shift from her biological

116. See *Donna Shalala Launches Girl Power* (visited July 29, 1998) <<http://www.health.org/gpower/campaign/GP96speech.htm>> (noting the many disadvantages girls face as they get older, like playing fewer sports and speaking less in class).

117. See *National Endorsers of Girl Power!* (visited July 29, 1998) <<http://www.health.org/gpower/campaign/endorsers.html>>.

118. See *supra* note 113.

119. See *infra* notes 121–25, 129–30, 148–50 and accompanying text.

It is important to distinguish between those theories that attempt to explain the *general* biological differences in men and women that might lead to aggressive behavior, and those that attempt to explain why some women might be more vulnerable to violent aggression given *individual* biological factors. When discussing biologically based theories, I refer to those that attempt to explain behavior generally from the perspective of evolutionary psychology. I use the term biomedical conditions to discuss theories that suggest individual biological factors may influence particular behaviors. For research on biomedical factors and aggression, see Patricia A. Brennan et al., *Biomedical Factors in Crime*, in *CRIME*, *supra* note 71, at 65 (reviewing current theories of bio-medical conditions and crime); Deborah W. Denno, *Considering Lead Poisoning as a Criminal Defense*, 20 *FORDHAM URB. L.J.* 377 (1993); Deborah W. Denno, *Gender Differences in Biological and Sociological Predictors of Crime*, 22 *Vt. L. REV.* 305 (1997) (finding that in her Biosocial Study, biological factors are somewhat stronger predictors of crime among females, particularly abnormal developments and neurological abnormalities); Diana H. Fishbein, *The Psychobiology of Female Aggression*, 19 *CRIMINAL JUST. & BEHAV.* 99 (1992) (suggesting that there may be a sub-group of females more vulnerable to aggression because of biomedical conditions like excessive androgen production, exposure to synthetic androgens, thyroid dysfunction, Cushing's disease, hormonal imbalances, PMS, and exposure to lead poisoning); Stephanie Van Goozen et al., *Anger and Aggression in Women: Influence of Sports Choice and Testosterone Administration*, 20 *AGGRESSIVE BEHAV.* 213 (1994) (describing two different studies in which one found that women who choose sports are not more prone to anger and aggression, and in a second study on transsexuals who were undergoing hormone treatment found that the subjects did become more aggressive when androgen was administered); Jordan W. Finkelstein & Howard Kulin, *Sex Hormones and Aggressive Behavior in Teens*, summarized at <<http://www.hhdev.psu.edu/>>

forebears who were wed to the notion that there is something inherent, and thus immutable, about women's passive nature.¹²⁰

Campbell argues that the nature of female aggression can be understood through social representations—the ways in which men and women ascribe meaning to aggression. “[S]ocial representations are situated in a particular historical and cultural moment. Instrumental and expressive views of aggression make sense to people *now*, at the end of the second millennium in Western society.”¹²¹ She does not suggest, however, that aggressive behavior does not have some biological beginning. She distinguishes between distal and proximal explanations for behavior. “Distal explanations look farther back in time to find the causes of aggression. Evolutionary biology is just about as far back as humans can see.”¹²² A proximal explanation is concerned “with factors that are relevant *at the moment* when the action takes place....”¹²³ “Social representations must mesh with our biology, biography, and social roles, but they are not *determined* by them.”¹²⁴ Environment plays a powerful role in giving both shape and meaning to our aggression.

In her later work on the parallel between the development of aggression for both males and females, which peaks in the teen and early adult years for both sexes, she argues that the distal explanation of female aggression is rooted in the evolutionary psychology of mate selection.¹²⁵ One of the fundamental principles of

research/hormones.htm> (finding that estrogen may influence aggressive behavior in adolescent girls).

120. Caesar Lombroso was the first theorist to suggest that the violence gender gap was rooted in biological differences between the sexes. CAESAR LOMBROSO & W. FERRARO, *THE FEMALE OFFENDER* (1958). For a historical overview of theories of female offending see Klein, *supra* note 66, at 35–60. In this chapter, Klein surveys theorists concerned with the etiology of female crime and delinquency, including Caesar Lombroso, W. I. Thomas, Sigmund Freud, and Otto Pollack and concludes that these “writers see criminality as the result of individual characteristics that are only peripherally affected by economic, social and political forces. These characteristics are of a physiological or psychological nature and are uniformly based on implicit or explicit assumptions about the inherent nature of women. This nature is universal, rather than existing within a specific historical framework.” *Id.* at 36.

Other theorists have continued this line of argument, which assumes that females are different physiologically from normal females. See, e.g., JOHN COWIE ET AL., *DELINQUENCY IN GIRLS* (1968) (arguing that differences in female delinquency were largely explained by hormonal differences between the sexes). See also ARTZ, *supra* note 65, at 12 (describing recent work by criminologists maintaining that differences in men and women are biological).

121. CAMPBELL, *supra* note 63, at 84–85.

122. *Id.* at 84.

123. *Id.* (emphasis in original).

124. *Id.* at 85 (emphasis in original).

125. See Campbell, *supra* note 56. Other works examining behavior from an evolutionary psychology perspective with applications to violent aggression include: DEBORAH BLUM, *SEX ON THE BRAIN: THE BIOLOGICAL DIFFERENCES BETWEEN MEN AND WOMEN* (1997); MARTIN DALY & MARGO WILSON, *HOMICIDE* (1988); MARTIN DALY & MARGO WILSON, *SEX, EVOLUTION, AND BEHAVIOR* (1978); RICHARD DAWKINS, *THE SELFISH GENE* (1989); HELEN FISHER, *ANATOMY OF LOVE: THE NATURAL HISTORY OF MONOGAMY, ADULTERY, AND DIVORCE* (1992); ROBERT WRIGHT, *THE MORAL ANIMAL: EVOLUTIONARY PSYCHOLOGY IN EVERYDAY LIFE* (1994); Kaj Björkqvist et al., *Do Girls Manipulate and Boys Fight? Developmental Trends in*

evolutionary psychology is that the forces of evolution are responsible for each person being born with a set of emotional and intellectual responses that are encoded in our genes. From a simplified evolutionary perspective, the goal of each individual's existence is to have an equal or greater reproductive success than the members of one's species. Like other species, humans are hard-wired to mate.

For a male, reproductive success is a function of the number of sexual partners and the ability to ensure paternity, while for a female, success depends upon material resources and her ability to convert them to offspring, rather than the number of mates. Parental investment, "any investment by the parent in an individual offspring that increases the offspring's chance of surviving," varies between the sexes.¹²⁶ Females plainly make more of an investment up until birth. When there is a potential for a high degree of male parental investment, the female is concerned not only with the male's genetic investment, but what he will bring to the offspring after it materializes.¹²⁷ In humans, where parental investment is high for both sexes in comparison to primates, females will be far more choosy about mating partners, seeking high status males who can provide material and emotional resources to their children.

This is not to suggest that men are not selective, however. As Robert Wright explains,

They will, on the one hand, have sex with just about anything that moves, given an easy chance, like males in low MPI [make parental investment] species. On the other hand, when it comes to finding a

Regard to Direct and Indirect Aggression, 18 *AGGRESSIVE BEHAVIOR* 117 (1992); Barbara Smuts, *Male Aggression Against Women: An Evolutionary Perspective*, in *SEX, POWER, CONFLICT: EVOLUTIONARY & FEMINIST PERSPECTIVES* 231 (David M. Buss & Neil M. Malamuth eds., 1996); Donald Symons & Bruce Ellis, *Human Male-Female Differences in Sexual Desire*, in *THE SOCIOBIOLOGY OF SEXUAL AND REPRODUCTIVE STRATEGIES* 131 (Anne E. Rasa et al. eds., 1989); Margo Wilson & Martin Daly, *Competitiveness, Risk Taking, and Violence: The Young Male Syndrome*, 6 *ETHOLOGY & SOCIOBIOLOGY* 59 (1985); Robert Wright, *The Biology of Violence*, *NEW YORKER*, Mar. 13, 1995, at 68.

Law review articles that discuss evolutionary psychology and its application to the law include E. Donald Elliott, *The Evolutionary Tradition in Jurisprudence*, 85 *COLUM. L. REV.* 38 (1985); E. Donald Elliott, *Law & Biology: The New Synthesis?* 41 *ST. LOUIS U. L.J.* 595 (1997); Oliver R. Goodenough, *Biology, Behavior, and Criminal Law: Seeking a Responsible Approach to an Inevitable Interchange*, 22 *VT. L. REV.* 263 (1997); Cheryl Hanna, *Can a Biological Inquiry Help Reduce Male Violence Against Females?*, 22 *VT. L. REV.* 333 (1997); Owen D. Jones, *Evolutionary Analysis of the Law: An Introduction and Application to Child Abuse*, 75 *N.C. L. REV.* 1117 (1997); Amy L. Wax, *Against Nature—On Robert Wright's The Moral Animal*, 63 *U. CHI. L. REV.* 307 (1996).

For legal scholars interested in evolutionary theories as applied to law, I highly recommend Owen Jones' article cited above. In it, he makes a compelling argument applying evolutionary psychology to child abuse, and he provides an extensive bibliography. I also recommend Oliver G. Goodenough's article cited above. It provides a thoughtful overview of evolutionary psychology and its applications to the law, as well as a balanced discussion of the uses and misuses of using this distal starting point for legal analysis.

126. Robert L. Trivers, *Parental Investment and Sexual Selection*, in *SEXUAL SELECTION AND THE DESCENT OF MAN* 137-39 (Bernard Campbell ed., 1972).

127. WRIGHT, *supra* note 125, at 63. See also Trivers, *supra* note 126, at 139-41.

female for a long-term joint venture...over a lifetime...the genes that the partner brings to the project—genes for robustness, brains, whatever—are worth scrutinizing.¹²⁸

Female fidelity matters as well. Males want to be sure that the offspring they are investing in is their own.

As Campbell explains, mate selection “involves the twin processes of intrasexual competition (within-sex contests aimed at subduing rivals) and epigamic selection (within-sex competition to display a particular attribute that is preferentially valued in a mate by the opposite sex).”¹²⁹ Like men, women will compete with each other “by excelling in demonstrating those characteristics that are most valued by males.”¹³⁰ Men compete through gaining status and resources, as well as eliminating the competition. Women compete by destroying the competition also, through word and deed, as well as by enhancing their own beauty.¹³¹ As evolutionary psychologist David M. Buss argues, even if society were to change the dimensions along which men value women, such as intelligence, sense of humor, kindness, or physical aggression, a biological perspective suggests that women will still compete with each other for men along these variables.¹³² When last call comes, both sexes will want to mate with the highest status member of the opposite sex that they can.

It is not all about competition, however. Research on both humans and primates poignantly illustrates the value of female cooperation. Strong female alliances, in both the primate¹³³ and the human world,¹³⁴ reduce male aggression against them, particularly forced copulation or rape. Female alliances also allow for the sharing of resources, like food, water, and other things necessary for the upbringing of their young.¹³⁵ For example, the Bonobos, a primate that is a close

128. WRIGHT, *supra* note 125, at 64.

129. Campbell, *supra* note 56, at 103.

130. *Id.* at 311–12.

131. David M. Buss, *Sexual Conflict: Evolutionary Insights into Feminism and the “Battle of the Sexes,”* in *SEX, POWER, CONFLICT*, *supra* note 125, at 309–10.

132. *Id.*

133. For research on primates and violence see FRANS DE WAAL, *BONOBO: THE FORGOTTEN APE* (1997); JANE GOODALL, *THE CHIMPANZEES OF GOMBE: PATTERNS OF BEHAVIOR* (1986); SARAH BLAFFER HRDY, *THE WOMAN THAT NEVER EVOLVED* (1981); MEREDITH F. SMALL, *FEMALE CHOICES: SEXUAL BEHAVIOR OF FEMALE PRIMATES* (1993); RICHARD WRANGHAM & DALE PETERSON, *DEMONIC MALES: APES AND THE ORIGINS OF HUMAN VIOLENCE* (1996); Hanna, *supra* note 125, at 333–54; Sarah Hrdy, *Empathy, Polyandry, and the Myth of the Coy Female*, in *FEMINIST APPROACHES TO SCIENCE* (R. Bleier ed., 1986); Smuts, *supra* note 125.

134. VICTORIA K. BURBANK, *FIGHTING WOMEN: ANGER & AGGRESSION IN ABORIGINAL AUSTRALIA* (1994); Kaj Björkqvist & Pirkko Niemela, *New Trends in the Study of Female Aggression*, in *OF MICE AND WOMEN* 3–16 (Kaj Björkqvist & Pirkko Niemela eds., 1992); Victoria K. Burbank, *Female Aggression in a Cross-Cultural Perspective*, 21 *BEHAVIOR SCIENCE RESEARCH* 70 (1987); Smuts, *supra* note 125, at 242.

135. The above research is consistent with models of feminist consciousness-raising. See Elizabeth M. Schneider, *The Dialectic of Rights and Politics: Perspectives from the Women’s Movement*, 61 *N.Y.U. L. REV.* 589 (1986) (describing the feminist movement from the 1960s and 1970s and advocating the value of collective identity).

relative of the chimpanzee, engage in much less violent behavior than other primate species in which forced copulation and male violence against females is commonplace.¹³⁶ In fact, the Bonobos have become the primate poster children of peace these days, with articles about them appearing in the popular press.¹³⁷ The Bonobos have achieved celebrity status, in part, because they have sex for lots of reasons other than reproduction—to make friends, to calm down, to alleviate competitiveness, and to form strong alliances.¹³⁸ They are a very sexually evolved species. “Bonobos engage in sex in virtually every partner combination: male-male, male-female, female-female,” and between young and old, and in just about every combination conceivable.¹³⁹ What is often left out of the “Bonobos are from Venus, Chimps are From Mars”¹⁴⁰ media spin is the ways in which female Bonobos cooperate to reduce male aggression. “Among [B]onobos there are no reports of males forcing copulations, battering adult females, or killing infants” in either captivity or their natural habitat.¹⁴¹ In other primates, females stay with their kin upon reaching maturity.¹⁴² In contrast, Bonobo females disperse at adolescence, integrating themselves into a group of unrelated females—they form their own girl gang.¹⁴³ They travel together day and night, share food, bond via sexual acts and then organize into alliances which help reduce violence, including male-against-male violence and infanticide.¹⁴⁴ Apparently, these female Bonobo girl gangs will not tolerate male aggression. They will gang up on males who show aggression against a female.¹⁴⁵ The Bonobo girl gang serves as a compelling example of the many strategic benefits of female cooperation.

In humans, females provide each other with emotional as well as material support. In reviewing the literature on female alliances cross-culturally, Barbara Smuts describes the Carib community of Belize:

[M]arried women typically reside near their mothers, and, if a husband beats his wife, neighbors immediately alert her mother. The mother's arrival on the scene, combined with the shaming gaze of other female witnesses, is usually sufficient to stop the beating. It is interesting that, in this community, even unrelated women will help one another because, they say, “[w]e're all women and it could happen to any of us.”¹⁴⁶

136. See DE WAAL, *supra* note 133, at 9; WRANGHAM & PETERSON, *supra* note 133, at 26. For a discussion of the Bonobos and their relevance to male violence, see Hanna, *supra* note 125.

137. Natalie Angier, *Bonobo Society: Amicable, Amorous, and Run by Females*, N.Y. TIMES, Apr. 22, 1997, at C4.

138. *Id.*

139. DE WAAL, *supra* note 133, at 4.

140. Angier, *supra* note 137, at C4.

141. WRANGHAM & PETERSON, *supra* note 133, at 205.

142. DE WAAL, *supra* note 133, at 115–23.

143. WRANGHAM & PETERSON, *supra* note 133, at 208–09.

144. See generally DE WAAL, *supra* note 133.

145. WRANGHAM & PETERSON, *supra* note 133, at 207–08.

146. Smuts, *supra* note 125, at 242 (internal citations omitted).

"If you wanna be my lover, you gotta get with my friends."¹⁴⁷ Thus, females must navigate the tricky waters between Scylla and Charybdis—they compete for high status males, but also need to cooperate with other females so they are not exploited by males. Competition and cooperation are co-evolved strategies. To survive, we must engage in both.

While reproductive success is the motivating factor at the origins of these behaviors, the mating game is now far removed from these primary instinctual desires. Today, women compete for all sorts of things other than high status or "new age sensitive guys." They compete for fame, fortune, friends, and, sometimes, the love of another woman. But we have to understand our base instincts before we can understand how they manifest themselves in modern life.

From the distal starting point of evolutionary psychology, Campbell further hypothesizes that female on female assaults are affected by a number of variables related to mate selection, and that, fundamentally, females will consider both the risks and advantages of violent aggression.¹⁴⁸ In other words, female violence is strategic. While indirect forms of female aggression, gossiping, excluding other females, and spreading false rumors, can generally be pursued with minimal risk, often the risk of physical violence is too high: females could be physically injured, thus threatening their reproductive fitness, or appear unattractive to men.¹⁴⁹ However, she notes that aggressiveness may, in fact, become attractive to men, either because of shifting cultural norms of what it means to be beautiful, or because "willingness to risk injury in pursuit of her mate may augur well for her future fidelity and signal equal bellicosity in defending future offspring."¹⁵⁰

Thus, females will use aggression when the advantages outweigh the risks. Turning to proximal causes of behavior, Campbell emphasizes that in societies where the number of women exceeds that of resource rich men, the competition for long-term mates with high status will presumably be more intense.

An effectively polygamous system, in which males actively seek as many partners as is economically and legally possible, suggests also that females may have little incentive to fight over men because, like the proverbial bus, "there's bound to be another one along soon." This position, however, assumes that all males who present themselves will be equally desirable as partners or that male intrasexual competition itself will select the fittest mate.¹⁵¹

147. SPICE GIRLS, WANNABE (Virgin 1996).

148. Campbell, *supra* note 56, at 112–13.

149. *Id.* at 104.

150. *Id.* at 105.

151. *Id.* In support of this thesis, Joan Moore's study of Chicano gangs in Los Angeles found that there were significant differences between earlier and later cliques concerning employment. In earlier ones, 61% of the men and 44% of the women had jobs; in more recent cliques, the figures were 48% and 61%, respectively. JOAN MOORE, GOING DOWN TO THE BARRIO: HOMEBOYS AND HOMEGIRLS IN CHANGE (1991) as cited in Shelden et al., *supra* note 22, at 31. Of the men and women that were working, about one third worked in semi-skilled factory jobs; about one third of the women, but a fraction of men, were unskilled. While

It depends on how many *big fish* there are in the sea.

Admittedly, applying biological theories to female violence is risky business. Historically, biological explanations for female violence, as first expressed by Caesar Lombroso, were explicitly sexist and racist, arguing that women and certain races were not just biologically different, but inferior.¹⁵² Strongly affected by the social Darwinism of the time, Lombroso argued that females by their very nature were less aggressive due to their evolved biological roles. Because women were less evolved than males, thus more childlike, weak, and passive, they were less able to participate in independent activities like crime.¹⁵³ Furthermore, because their primary evolutionary function was to bear and care for children, they were predominately unsuited for criminal activity.¹⁵⁴ Hence, criminal women were biologically dysfunctional, lacking maternal instincts. Physical characteristics, like masculine appearances, or a malformed skull or face evinced criminal women's biological shortcomings.

What we look for most in the female is femininity, and when we find the opposite in her, we must concede as a rule that there must be some anomaly.... Virility was one of the special features of the savage woman...in portraits of Red Indian and Negro beauties, whom it is difficult to recognize for women, so huge are their jaws and cheekbones, so hard and coarse their features, and the same is often the case in their crania and brains.¹⁵⁵

Lombroso's work has been rightfully discredited as sexist and racist as well as methodologically unsound,¹⁵⁶ although sadly still survives in much of contemporary discourse.¹⁵⁷

Campbell's biologically-based theory can just as easily be explained within the feminist critique. If females are fighting other females for men, they are doing so because they have internalized their own oppression with a patriarchal society. By teaching women to compete, men ultimately maximize their own power. All of this is learned behavior taught to girls via misogynist norms.¹⁵⁸ Perhaps so.

Moore does not explicitly explore Campbell's hypothesis, her data provides some support for the notion that women will compete more as fewer males are able to provide them with resources. *See also* Deborah R. Baskin et al., *supra* note 78, at 411-14.

152. *See supra* notes 119-20 and accompanying text.

153. *See supra* notes 119-20 and accompanying text.

154. *See* LOMBROSO & FERRARO, *supra* note 120, at 112.

155. *Id.* at 112.

156. Klein, *supra* note 66, at 42.

157. *See, e.g.*, Kingsley R. Browne, *Sex and Temperament in Modern Society: A Darwinian View of the Glass Ceiling and the Gender Gap*, 37 ARIZ. L. REV. 971 (1995) (arguing that biological differences between men and women explain gender discrimination in the workplace); Mary Anne Case, *Of Richard Epstein and Other Radical Feminists*, 18 HARV. J.L. PUB. POL'Y, 369 (1995) (critiquing Professor Epstein's use of Darwinism in justifying gender disparity in the law).

158. *See, e.g.*, Wing & Willis, *supra* note 19, at 160-61 (arguing that young black women will learn from their parents, the media, or peers how to interact with men: "as many

Yet, volumes of literature now exist documenting female violent aggression in primates¹⁵⁹ and humans cross-culturally.¹⁶⁰ Most telling about this research is that it suggests that females "have as much potential" as do males to be aggressive.¹⁶¹ What varies is the context in which women publicly display violence.¹⁶² Social, economic, and cultural conditions greatly influence the levels, incidents, and forms of female violence. One common theme runs through much of the literature. When females fight, they are often fighting for males, either implicitly or explicitly. This data lends persuasive support for Campbell's biological hypothesis, although admittedly we need further data on intra-female aggression to better support this hypothesis.¹⁶³

Nevertheless, contemporary feminists need not be so afraid of biology as they once rightfully were. Contrary to the biological determinism of the past, post-modern biology tries to provide information that is probabilistic, not deterministic.¹⁶⁴ It does not attempt to understand individual human behavior, but general norms and patterns which are replicated over time. It provides us information to make better legal and policy choices, but does not decide our destiny. Humans do "indeed have tendencies, some stronger, more pervasive, and more 'hard wired' than others. To say that, however, is not to say that the tendencies cannot be curbed or overcome by the forces of culture or morality."¹⁶⁵

II. FROM THE MOUTHS OF BABES

Regardless of whether one adopts a biological or socially constructed starting point, a close examination of the behavior of girl gang members suggests that indeed one reason they exhibit increased levels of aggression is to attract high status men. Campbell hypothesizes that female violence is frequently triggered by three key issues: management of their sexual reputations, competition over resource rich young men, and protecting their heterosexual relationships.¹⁶⁶ Drawing from these categories, I explore the world of girl gangs through their own words and those who work directly with them to understand the meaning that they give to their own aggression.

Not all female gangs are alike; most are female auxiliaries to male gangs; some are entirely independent from male gangs; and a few are sexually integrated.¹⁶⁷ Just as there are different organizational structures, different girl gangs engage in

feminist thinkers posit, the female has simply learned to emulate the male and equates promiscuity with masculinity which signifies strength and power").

159. White & Kowalski, *supra* note 67 (reviewing the extensive literature on female aggression).

160. *Id.*

161. *Id.* at 490.

162. *Id.*

163. Campbell, *supra* note 56, at 120.

164. See Jones, *supra* note 125 (arguing that biology only deals with norms and patterns, not individual behavior).

165. Wax, *supra* note 125, at 329-30.

166. See Campbell, *supra* note 56, at 99.

167. Wing & Willis, *supra* note 19, at 147. See also CURRY ET AL., *supra* note 18, at 8 (identifying in a survey of 35 different jurisdictions, 99 independent female gangs).

different pursuits. Some gangs exist primarily to sell drugs, others are organized for more social purposes.¹⁶⁸ Female gangs, like male gangs, are usually composed of members from the same ethnic or racial background.¹⁶⁹ Some studies suggest that African-American "gang members tend to be involved in monetary-motivated criminal conduct, such as drug trafficking, robbery, and sex crimes."¹⁷⁰ By contrast, Hispanic gangs are "inclined to be turf-oriented, displaying...pride for their neighborhood gangs."¹⁷¹ Asian gang members tend to be more involved in property crimes.¹⁷² "White street gangs tend to be involved in criminal activity involving property crimes, drug trafficking, and hate crimes."¹⁷³ Females in outlaw motorcycle gangs are older than the average female street gang member, but otherwise are not so dissimilar as popular misconceptions might lead one to believe.¹⁷⁴

Just as in the world of female adolescents more generally, it is impossible to separate violence from sex and sex from status in the gang world. Most girls get involved in gangs between the ages of 11 and 18.¹⁷⁵ They are coming of age sexually, like their nongang counterparts, gossiping with girlfriends, talking about boys, discovering who they are.¹⁷⁶ They hate their bodies and play with their hair. They hang out on the stoop or the corner, at the mall or the movies.¹⁷⁷ The age factor supports a biological distal starting point.¹⁷⁸ "Early adulthood is a time at which reproductive issues are most salient, and, among humans, status acquired at this time may endure for many years as a function of reputation." Thus, this is "the time at which similarly aged girls will compete with one another for access to the most desirable males."¹⁷⁹ "I think the boys began liking me because of my truck," comments one middle-class

168. See KLEIN, *supra* note 19, at 111–35.

169. *Id.* at 105–10.

170. See, e.g., *Girlz in the 'hood*, *supra* note 19, at 15 (discussing drug trafficking and robbery); TAYLOR, *supra* note 28.

171. See MARY G. HARRIS, *CHOLAS: LATINO GIRLS AND GANGS* (1988); JOHN C. QUICKER, *HOMEGIRLS: CHARACTERIZING CHICANA GANGS* (1983); Campbell, *supra* note 111, at 176; *Girlz in the 'hood*, *supra* note 19, at 16.

172. *Girlz in the 'hood*, *supra* note 19, at 13. See also CHESNEY-LIND, *supra* note 73, at 120–44 (describing an ongoing ethnography exploring the social world of a group of Hawaiian women are moderate to heavy drug users and noting the difference among Asian women and Pacific Islanders); Meda Chesney-Lind et al., *Girls, Delinquency & Gang Membership*, in *GANGS IN AMERICA* (2d ed. 1996) (describing research of gangs in Hawaii) Klein, *Street Gang Cycles*, *supra* note 92, at 218–21 (describing Asian gangs).

173. *Girlz in the 'hood*, *supra* note 19, at 17.

174. *Id.* See also Hopper & Moore, *supra* note 92, at 379.

175. *Girlz in the 'hood*, *supra* note 19, at 14.

176. See generally PIPHER, *supra* note 113 (discussing the behaviors of adolescent girls). See also Anne Campbell, *On the Invisibility of the Female Delinquent Peer Group*, 2 *WOMEN & CRIM. JUST.* 41, 56 (1990) (suggesting that a closer examination friendships for girls would be valuable for understanding female delinquency, noting that the family is often over-emphasized as the place where females find emotional support while female friendships are downplayed).

177. CHESNEY-LIND, *supra* note 73, at 53.

178. See Campbell, *supra* note 56, at 109.

179. *Id.*

suburban teenage member of the LO's (Latino Organization) in San Antonio.¹⁸⁰ "The only bad thing is I like to make out and that's kind of hard when I'm driving. Maybe we'll hold hands, but I'm sorry, I'm getting into my sexual peak and I want more. The main reason I started hanging with gangs was because there were cute guys."¹⁸¹

Girls join gangs for a multitude of reasons: a sense of identity, friendship, a desire for independence, limited job opportunities, poor family structures, family legacy, protection from rival gang members, and to meet boys. One girlbiker describes her motivations for joining a gang: As they say: "'All real men ride Harleys.'"¹⁸²

In an interview with thirty female gang members in Los Angeles, the most popular reason given for gang membership was for "fun and excitement, all the parties, and all the people that you meet. It's a good way to meet good-looking guys."¹⁸³ Although the sample size is too small to extrapolate to any larger conclusions, this response signals something more may be going on than finding a haven in a heartless world.¹⁸⁴ Gangs provide a way for girls to hook-up with down men and party in the process. It is teenage rebellion. It is a *riot, girls*.¹⁸⁵

This is an age where everything is about (unsafe) sex. Although girls have always been in gangs or sororities or the girl scouts, gang membership in the 1980s and 1990s has taken on a particularly violent and overtly sexualized nature. Girl gangs give themselves names that bespeak their sexual nature: the Sex Girls,¹⁸⁶ the Molls,¹⁸⁷ the PlayGirl Gangstas,¹⁸⁸ and the Vice Queens.¹⁸⁹ Once in the gang, a girl gets a moniker—a street name—that advertises the best she has to sell.¹⁹⁰ Like the Spice Girls, they have a maiden name and stage one: Green Eyes,¹⁹¹ Wicked,¹⁹² and Sad Eyes.¹⁹³ Girls will not dress like boys, refusing to wear boots or bandanas in order to not look bad for boys.¹⁹⁴ Sometimes if they do put on male regalia, it is because they are going undercover.¹⁹⁵ They flaunt their gang colors, paint their daggered nails, and tattoo their wrists as a symbol of gang solidarity, just like the heroines in the girl gang

180. SIKES, *supra* note 19, at 125.

181. *Id.* at 125.

182. Hopper & Moore, *supra* note 92, at 377.

183. *Girlz in the 'hood*, *supra* note 19, at 15.

184. Chesney-Lind, *supra* note 66, at 17.

185. "The Riot Girls" is the name of a bootleg album by Courtney Love's band, Hole.

See <<http://www.vari-media.com/swearboy/hb01.html>>. "Riot girls" is yet another sub-culture within the *girl power* movement. The riot girls are rumored to have originated during the punk rock movement with the goal of stomping out sexism. *Riot Girls Home Page* (visited on July 29, 1998) <http://www.indieweb.com/riotgrrl/rg_perplexed.html>.

186. ANNE CAMPBELL, *GIRLS IN THE GANG* 106 (1984).

187. Miller, *The Molls*, *supra* note 92, at 32.

188. SIKES, *supra* note 19, at 22.

189. Sheldon et al., *supra* note 22, at 37.

190. *Girlz in the 'hood*, *supra* note 19, at 15.

191. *Id.*

192. SIKES, *supra* note 19, at 132.

193. *Id.* at 212.

194. CAMPBELL, *supra* note 186, at 246.

195. SIKES, *supra* note 19, at 22–23.

movie, *Mi Vida Loca* (My crazy life).¹⁹⁶ They fight to stay feminine. These girls know that when you go to battle, you dress to kill.

Despite the structural difference among girl gangs and the individual reasons why they join, the two most common initiation rites are being “jumped in,”¹⁹⁷ “rolled in,”¹⁹⁸ or “sexed in.”¹⁹⁹ Jumped in means fighting fellow female gang members; being rolled in means that a new female recruit rolls a pair of dice and whatever number appears determines how many men would have sex with her.²⁰⁰ In the first instance, she catfights; in the latter, she exposes herself to sexual exploitation.²⁰¹

John C. Quicker, in his study of Chicana Gangs in East Los Angeles, provides a vivid account of the procedure through an interview with one female gang member:

Q: What happens when you get jumped in? What do they do?

A: When you get jumped in, what they do is they get around you and then there’ll be a girl counting. It depends on what gang you’re getting into and how well you know the girls. Really on how far they count and how slow they count.

Q: What do you mean count?

A: They count till 10 and they start to jumping you and they’ll start counting 1. Then when they finish at 10, they jump you.

Q: What do you mean they count and they start jumping you?

196. *Id.* at 30. *MI VIDA LOCA* (HBO Studios 1994) is one of the few popular movies about girl gangs. *See also* *SET IT OFF* (New Line Studios 1996), starring Queen Latifah as a lesbian who, along with fellow African American females, including Jada Pinkett, tire of the system and turn to bank robbery. There have been many movies about male gangs, including *AMERICAN ME* (Universal Studios 1992), *BOYZ ’N THE HOOD* (Columbia/TriStar Studios 1991), *CLOCKERS* (Universal Studios 1995), *COLORS* (Orion Pictures 1988), and *NEW JACK CITY* (Warner Studios 1991).

197. *Girlz in the ’hood*, *supra* note 19, at 15 (discussing being jumped in). *See also* Hopper & Moore, *supra* note 92, at 372–73 (describing a disturbing way in which women in motorcycle gangs are used for the initiation of the male):

Along with other requirements, in some gangs, the initiate had to bring a “sheep” when he was presented for membership. A sheep was a woman who had sex with each member of the gang during an initiation....

Group sex, known as “pulling the train,” also occurred at other times. Although some of the mamas or other biker groupies (sometimes called “sweetbutts”) occasionally volunteered to pull a train, most instances of train pulling were punitive in nature.

Another biker ritual involving woman was the earning of “wings,” a patch similar to the emblem a pilot wears. There were different types of wings that showed that the wearer had performed oral sex on a woman in front of his club.

198. *SIKES*, *supra* note 19, at 101.

199. *Girlz in the ’hood*, *supra* note 19, at 15.

200. *SIKES*, *supra* note 19, at 101–02.

201. *Id.* at 151 (one male gang member noting that “most guys do not use protection”).

A. Aja. Well, like there will be a girl out there and she'll go okay and then they'll start jumping you. She'll count to 10 and when she finishes counting, they'll stop.

Q. Do you mean that they'll jump you one at a time or a whole bunch of them?

A. No, a whole bunch.

Q. And what? They'll all jump and a girl counts to...

A. 10 and when she finishes, they're up.

Q. What do they do when they jump you?

A. They hit you all over.

Q. They do?! Can you hit back?

A. Aja. If you want to hit back. Sometimes you...well, it depends. Some girls will get scared when you're swinging back anywhere, 'cause you're swinging anywhere, just to get them off you. Other girls won't be scared. Those who are scared will kind of back away.

Q: Do you get it worse if you swing back?

A: No. I don't think so.²⁰²

Mona Ruiz, in her autobiography, describes her own jumping in to the F-Troop, a Latina girl gang in Santa Anna, the day she became part of *la familia*.

I had been in lots of fights and had knives and guns waved in my direction, but I had never been as scared as I was at that moment, standing on the basketball court at Salvador Park.... I and all the other homegirls followed gang style and wore thick layers of make-up—caking it on especially thick, like war paint, for parties or special events like jumping in....

The first punch caught me in the back, and after that it was just a hailstorm of blows from all sides. Red flashed in front of my eyes when someone caught me across the chin, causing my head to jerk back. My left side was hurting bad, too, and I could feel the rage building up inside of me. I nearly lost my feet with the next blow, a strong slap below my left ear that left a ringing echo through my skull.²⁰³

Why this initiation rite? Girls often express glee in describing the process of jumping in another girl.²⁰⁴ By being jumped in, the gang can see if the potential new member has the strength to fight for her homegirls, keeping others off their home turf, and protecting their men, so they can take care of business. The intention is not to hurt

202. See QUICKER, *supra* note 171, at 15–16.

203. MONA RUIZ, *TWO BADGES: THE LIVES OF MONA RUIZ* 69 (1991). See also EDWARD HUMES, *NO MATTER HOW LOUD I SHOUT: A YEAR IN THE LIFE OF JUVENILE COURT 49* (1996) (describing being jumped in).

204. MARY G. HARRIS, *CHOLAS: LATINO GIRLS AND GANGS* 112 (1988).

her, “[s]he need not win the encounter; [s]he must, however, demonstrate her ‘heart’ or courage. This initiation also deters girls who might join for the wrong reasons.”²⁰⁵

At first blush, there is nothing sexy about these depictions— unless boys are watching. In descriptions of jump ins, it is not clear who the onlookers are. Perhaps researchers, male and female, never thought to ask. Yet, in a telling video of an actual “jumping in” aired in a Phil Donahue episode²⁰⁶ that did not glamorize girl gang members, although arguably patronized them, male voices could be heard in the background yelling “get her” and “you go girl.”²⁰⁷ Boys were watching, leering, cheering. Catfights please their male counterparts as much as themselves. Girls even dress for the occasion. She fights to be the *fittest* babe.²⁰⁸ Perversely, scenes like this one have made their way into the pornography industry. Movies like *Real CatFights—the Video*, includes home movies of jump ins.²⁰⁹ Now anyone can turn on a VCR and get off.

Being jumped-in gives a girl more status than rolling the dice. She is behaving more like her male counter-parts—showing her strength while at the same time performing for them. When you can’t trade on your strength, you trade on your sex. Two gang members who were initiated by being jumped in diss gangs that allow their members to be rolled-in. “Yeah, [being jumped-in] is stupid, it is very stupid, but it is better than rolling the dice.... There are a lot of girls sleeping with guys who got AIDS and they are walking around with AIDS and they don’t even know it.”²¹⁰

Yet, those who are rolled in do reclaim power—the abused can become the abuser. Sikes describes a scene from San Antonio:

A twelve-year old girl now sat in the juvenile detention center on charges she lured her thirteen-year old friend to a party in a trailer, so that nine male gang members, ranging in age from fourteen to thirty-one, could brutally rape her. During her indictment, the girl showed no remorse—the same had been done to her. In detention she’d received dozens of fan letters from gang boys who admired her nerve.²¹¹

Male gang members don’t view being rolled-in as rape. It is consent.

205. Campbell, *supra* note 111, at 178.

206. Phil Donahue, *Girls in the Gang* (CBS television broadcast, Apr. 16, 1997). In this program, Mr. Donahue does not in any way glamorize youth violence. It is interesting to compare this program to *The Geraldo Rivera Show, Girl Gangs* (television broadcast, July 23, 1997). In contrast, the girls on the *Geraldo* show are highly glamorized—rap music beats in the background while fast film clips show gang girls acting hip.

207. Donahue, *supra* note 206.

208. See Lewittes, *supra* note 51 (describing why the author likes catfights).

209. See *Real Catfights—the Video* <<http://www.usapublications.com/savage12.html>> (visited July 28, 1998) (describing “an intense two hour video of actual catfights that take place in the street, in clubs, outside high schools, in parking garages, on TV talk shows, in bars, in roller rinks, on the highway, at girl gang’s jump-ins, at sporting events and more”).

210. Donahue, *supra* note 206.

211. SIKES, *supra* note 19, at 102.

When it comes to gangs, there is no such thing as raping. Most gangs do not rape chicks.... I'll tell you straight right now, the girls have a *choice* of initiations [Jump-ins by six girls, being shot in the leg fighting one-on-one with a guy or roll the dice.] Most of the time the girls will take the dice 'cause to them it's probably the easiest of anything. There are two dice. If they roll eleven or twelve, fine, they're going to get fucked by at least twelve of us. *That's what they want, that's what they get.*²¹²

Arguably, there is a decline in chivalry in the gang world as well as in the criminal justice system.²¹³

Sikes describes a disturbing gang sex scene, pulling a train:

[T]he boys rank in the gang determined whether he was the engine, the caboose, or somewhere in between—a form of entertainment familiar in the college frat houses. Any unknown young girl who showed up at a gang party was presumed by the male gang members to be fair game. The girl who drank (or had her soda spiked with Visine, or her bubble gum soaked in vodka, or one of the dozens of covert schemes kids concocted to make someone intoxicated) could expect the worst, anything from having her jewelry stolen to waking up with a strange boy on top of her and a trail of others waiting their turn.²¹⁴

Girls deny any victimization as a way to enhance their own status and reputation. Like the boys, they believe they have choices. In an interview with the leader of one co-ed gang in San Antonio, Sikes explains the ways in which girl gang members perceive their own autonomy and strength:

Hard core gang girls loathed the back-room girls, the chicks who cried rape, with the contempt the strong hold for the weak. After all, as one named Sweetie told me, when her boyfriend tried to rape her, she pulled a gun on him. Sweetie weighed nearly three hundred pounds, and though she called herself “a kindhearted gangster,” she displayed a terrifying temper, inherited, she said, from a father who broke her jaw and a mother who drove a red convertible with the bumper sticker: 51 PERCENT SWEETHEART/49 PERCENT BITCH: DON'T PUSH IT.²¹⁵

Girls are acutely aware that to achieve status and respect, they must walk a fine line between being too sexy to be tough, and being too tough to be sexy. At one end of the spectrum, the most desirable position is to be the steady girlfriend or “wife” of a gang member. In the biker world, these are the “old ladies.”²¹⁶ Even girls outside the gang world compete to be the one and only. As Campbell points out, women are not just looking for protection from male gang members, but resources.²¹⁷ As an

212. *Id.* at 150 (first emphasis in original, second added).

213. See SIMON & LANDIS, *supra* note 77, at 11–13.

214. SIKES, *supra* note 19, at 103.

215. *Id.* at 153.

216. See Hopper & Moore, *supra* note 92, at 372.

217. Campbell, *supra* note 56, at 107.

example, she turns to Taylor's study of young women involved in gangs and drugs in Detroit. It is a community plagued with high male incarceration rates, poverty, and drugs. Taylor writes: "[Girls] see the power of the gang, the celebrity status. This is real, it can happen to people just like them."²¹⁸ Even among college girls, high status drug dealers were considered desirable partners worth fighting for.

It's hard to get a good man and girls grab any fella that treat you special... It's just tight out there, the campus is fucked up 'cause we ain't got nothing but girls, girls, girls, girls and the guys got their pick. We just start fighting each other over the same guys. Dope guys is straight if they think you ain't dissing them. They got coin and they will spend on you, and that's better than getting messed up over nothing. At least dope guys will buy you dinner at some place besides Mickey Dees....²¹⁹

As girl gangbangers become more sexually liberated/promiscuous, male gang members sometimes state a preference for "square" girls, those outside the gang. "You know that they were going to be good. You know, they going to take care of business and the house, be a good housewife."²²⁰

These were the "good girls," who stayed home watching kids or washing their boyfriend's underwear, all the while denying his gang activity with the false ignorance of a Mafia wife. Presumed to be spoken for, such girls were left alone by other gang members. So, too, did their boyfriends at times, who banned them from gang parties because their girls might cramp their style.²²¹

Girls attracted to the gang members but who are unwilling to join the girls' gang are objects of considerable hostility from girls in the gang.²²² They get the guy but lose their friends.

Few girls master the rules. *Say no rather than join a gang to please your boyfriend.* "She'll let more than just her boyfriend fuck her. Then most likely he'll break up with her, but then she doesn't have a choice. It's done, she got fucked, she's in."²²³ *Say yes when the time is right.*

You want your own things, dope boys and college boys all try to make you do what they want and when and how they want it! I am like Janet Jackson, I want control! I know that's why some girls ration out the sex, that's all you got and the dogs be sniffing and you got to let 'em smell it [laughing]; they want them boots, and you got to keep 'em as

218. TAYLOR, *supra* note 28, at 198.

219. Campbell, *supra* note 56, at 116.

220. MOORE, *supra* note 151, at 75.

221. SIKES, *supra* note 19, at 107. This description is similar to the description by Sarah Hrdy in her work on primates. She finds that high-ranking females mate with higher-status males, are freer from harassment, have infants with a higher rate of survival, and have daughters who breed at significantly earlier ages. See HRDY, *supra* note 133.

222. See Campbell, *supra* note 176, at 54.

223. SIKES, *supra* note 19, at 151.

long as you can. When men get what they want you never get what you want if then you didn't play it right.²²⁴

"Wives" are faithful.²²⁵ They are sexually controlled and controllable. They are haloed and hated. They win. They are Madonnas.

At the other end are the "wannabes," or, in bikerspeak, "mamas,"²²⁶ although they serve the same purpose. These are girls that party with male gang members,

switching loyalties among the most powerful members like hairstyles in the quest for status. Boys routinely courted these fresh young girls, showering them with booze, drugs, and attention. But once the girl became classified as common property—if she changed her mind once too often or maybe only once—she was taken for granted in the extreme.... Other gang girls, who viewed the wanna-bes as an irritating fact of life...watched them come and go with disdain, secure in the knowledge that they were just skanks, bitches, sleazes, easy lays.²²⁷

These girls cannot be trusted. They are loose. They are "Hos."

Most girls fall somewhere in-between. The higher status you are, the better. In a frenzy for renown, homegirls do crimes like their homeboys and for their homeboys. Carla, with Tapa-13, her L.A. gang, tattooed on her stomach, explains why she did a drive-by shooting that killed an honor student. It was revenge after a rival gang shot at a group of Tapa homeboys, wounding one of Carla's friends. "He was my dog. He was my tight. I ran the streets with him. I had to do something."²²⁸ She justifies her actions:

A drive-by isn't like a murder, where you get up in someone's face and stab them or something. That's too cold-blooded. I could never do that. That's wrong.... If my brother did get shot, I'd have to go out looking for who did it. I'd have to get revenge. I'd have to do a drive-by myself to get back at the gang that did it. And I know that wouldn't be murder.... [It would be] [j]justice.²²⁹

For both boys and girls, sex is a both a curse and a blessing. For example, male leaders "often order the prettiest to infiltrate an enemy party to set up or lure a rival—at high risk to herself—only to resent her and all females for making men vulnerable."²³⁰ Girls do not trust other girls, and boys do not trust the girls because they manipulate their sexuality to get what they want.

Girls foster this competition. In fact, Campbell has found that most fights in which girl gangs are involved result from either domestic disputes—"physical aggression resulting from a romantic or domestic relationship in which aggression is directed toward the partner," or loyalty/integrity disputes—"physical aggression

224. TAYLOR, *supra* note 28, at 131.

225. Sheldon et al., *supra* note 22, at 27.

226. See Hopper & Moore, *supra* note 92, at 371.

227. SIKES, *supra* note 19, at 107.

228. HUMES, *supra* note 203, at 50.

229. *Id.* at 123.

230. See SIKES, *supra* note 19, at 31.

resulting from a perceived slight against the public reputation of an individual, such as accusations of cuckoldry, promiscuity, cowardice, or stupidity.²³¹ Among young female Puerto Rican gang members, for example, when a girl gangbanger's boyfriend has cheated, she will often attack her female rival rather than her boyfriend. The rhetorical justification is that "[m]en are considered driven by an insatiable need for sex that they cannot resist. Because this is beyond their control, it is the rival female who is to blame."²³² Girls disrespect their homegirls when they date rival guys.²³³ Never sleep with the enemy.²³⁴ It is a sexual transgression. It is taboo.

The competition ought to know better than to mess with the boys of a high ranking, tough girls. Girls foster "bad" reputations to protect their men. "I'm glad I got a reputation. That way nobody will start with me, you know. Nobody will fuck with me—they *know*, you know."²³⁵ The crazier, the better. In typical boastful bravado, a member of the Turban Queens describes the retribution that results when another girl sleeps with her man:

I would just go up "Hey, I hear you made it with my old man." And blat! The whole thing is over because they don't even raise their hands. They put their head down and they cut out fast. Because they know, if I was hitting a girl and they hit me back and all these girls see it, they're going to get in. And she's going to take a worse beating. So she takes a slap or two and goes home and cries.²³⁶

Girl gangbangers will backstab you, beat you, and sometimes shoot you if you diss them. The violence can be as extreme as desexing other girls. TJ, a PlayGirl Gangsta and girlfriend of a high ranking male gang member in prison, boasts about her worst crime:

One night Angel and ten of us in the back of a pickup truck we stole drove into Inglewood, looking for the enemy. Somebody spotted a carload at the 7-Eleven. We took off after them, chasing them to La Cienega, where they crashed into a pole. We all jumped out of the truck and charged their car.

There was four of them, two guys and two girls. I get out. I had this long steel pole sharpened to a point. I used it to smash the windshield. Some of the guys jumped on the hood, kicking the glass. I opened this door where this fat chick sat and whacked her on the

231. Anne Campbell, *Girls' Talk: The Social Representation of Aggression by Female Gang Members*, 11 CRIM. JUST. & BEHAV. 139, 146 (1984).

232. See Campbell, *supra* note 56, at 119.

233. See SIKES, *supra* note 19, at 32.

234. See *id.* at 32. See also CHESNEY-LIND, *supra* note 88, at 329 (describing a study of the Boston girl gang, "The Molls," and suggesting that the girls were not sexually accessible to the boys as a way to get boys to like them).

235. CAMPBELL, *supra* note 63, at 133.

236. *Id.* at 138.

shins.... You could hear her bones cracking. *Pop! Pop!* She was screaming. Then I took the pole and rammed it between her legs.²³⁷

There is a paradoxical nature of gang membership. It offers the potential for protection as well as abuse. Homegirls are family and best friends. The gang provides sisterhood in a social world where the family is disintegrated.²³⁸ Homegirls protect each other from too much sexual and physical abuse at the hands of the boys as well as from other rival gang members. For example, Sweetie forbade her girls to be "trained,"²³⁹ but at the same time beat "gang hoppers"—girls who slept around with rival male gang members—once until her victim had to jump "from a two-story bathroom window to escape."²⁴⁰ Boys tried to stop the beating "'to protect their pussy....'"²⁴¹ Mama Sheik, one of Milwaukee's most infamous and powerful female gangsters, would take care of girls beaten by their boyfriends.²⁴² One police officer described Mama Sheik's role of protector: "'A lot of girls get beaten—male gang members are weak that way—well, Mama would beat the batterer.'"²⁴³

Only those girls that are asexual or lesbian end up winning the true respect of the male gang. They sit out the game by surrendering all heterosexual female sexuality. Sikes portrays Shygirl, one of the most infamous Playgirl Gangstas from the Lennox neighborhood in L.A.²⁴⁴ "The gang unit at the Lennox sheriff's station...knew her. One officer kept a Polaroid of Shygirl in her patrol car... [She looked like a] 'dyke.'"²⁴⁵ She was renowned to have behaved scandalously. She jumped-in male gang members, killed rival gang members, she lived *Mi Vida Loca*—she was reputed to be crazy. The price she paid for such notoriety was her sexual self. She did not date homeboys. She did not have sex out of survival.²⁴⁶ She admits that she once had a crush on a boy in her gang: Smokey. "He was the sweetest person. He was a gentlemen. We could talk about anything."²⁴⁷ His death prompted her to seek counseling. She gave up too much.

Pop culture feeds their frenzy. As noted earlier, much of commercial feminism sells *girl power*.²⁴⁸ However, the mass media sends mixed messages—both boys and girls get confused. In D.B. Kitchen's study of female gangs in Fort Wayne, Indiana, a gang member discusses the double standard: "Guys around here don't respect women much. I think it is because of all the rap music bashin' women. I listen to some of this music calling women bitches and ho's and it upsets me. I think the

237. SIKES, *supra* note 19, at 25 (emphasis in original). Note that even though many of these accounts cannot be confirmed, the imagery of the crimes that these girls boast take on a highly sexualized content.

238. See Wing & Willis, *supra* note 19, at 163–67.

239. SIKES, *supra* note 19, at 153.

240. *Id.*

241. *Id.*

242. *Id.* at 190.

243. *Id.*

244. *Id.* at 28–40.

245. *Id.* at 30.

246. *Id.* at 35.

247. *Id.* at 33.

248. See *supra* notes 29–55 and accompanying text.

guys around here think sex is all we're good for."²⁴⁹ In contrast, *girl power* pitches that young women can buy back their sex and sell it on their own terms.²⁵⁰ Yet, *girl power* takes place within a larger culture of violence. Movies, television shows, music videos, and magazines make violence look hip. In many of these communities, violence is a way of life. Increasingly, both girls and boys become desensitized.²⁵¹ Their language is raw, their schools unsafe,²⁵² their homes chaotic,²⁵³ and their loves lost to bullets.²⁵⁴ It's mourning in America.

Just as their initiation into the gang is sexual, so too is their exit. Girls, like boys, cannot just quit the gang. To do so is an act of disloyalty. The consequences can be deadly.²⁵⁵ The girls decide if her reason for wanting out is acceptable. While going to school or getting a job might garner blessings from her peers,²⁵⁶ for some girl gang members, motherhood provides a legitimate means of escape.²⁵⁷ Once girls have babies of their own, they may be allowed to "walk out."²⁵⁸ Sikes describes Coco, an O.G.—or Original Gangster.²⁵⁹ O.G. is "a term of respect in the ghetto for those who have paid their dues, either by fighting, hustling, or killing," eventually relying on a younger generation to do their work.²⁶⁰ With four children, Coco felt that she was too young to be a mother and too old to be in the gang.²⁶¹ She ended up sharing the father of her children with another woman for many complicated reasons.²⁶²

249. Sheldon et al., *supra* note 22, at 29.

250. See, e.g., ERYKAH BADU, *Tyrone*, on LIVE (Kedar Entertainment 1997) available at <http://www.ohhla.com/anonymous/dadu/rm_bside/tyrone.bdu.txt> ("Now every time I ask you for a little cash You say no and turn right around and ask me for some ass Oh, Well hold up Listen partna I ain't no cheap thrill Cause Miss Badu is always comin' for real And you know the deal."). See also *supra* notes 36–46 and accompanying text.

251. See *supra* note 71 and accompanying text.

252. For current research on school violence, see Jackson Toby, *The Schools, in CRIME*, *supra* note 71, at 141.

253. There is a strong correlation between female violence and child and sexual abuse. See, e.g., CHESNEY-LIND, *supra* note 73, at 110 (discussing research on the links between women's crime and sexual and physical abuse). Every study of girl gangs that I read discussed the extensive nature of domestic and sexual abuse that these girls experience.

254. See, e.g., Wing & Willis, *supra* note 19, at 164 (discussing the high incarceration and mortality rates of black males in many urban areas). Again, throughout this research, I discovered that many girls have lost men and women that they love through gang activity. See, e.g., SIKES, *supra* note 19, at 38–40 (discussing what happened to Shygirl).

255. *Girlz in the 'hood*, *supra* note 19, at 15.

256. *Id.*

257. Interestingly, pregnancy may also be the end of the Spice Girls as well. Already having lost Ginger Spice because she posed nude, now both Scary Spice and Posh Spice are pregnant, yelling "mommy power" from the stage these days.

258. *Girlz in the 'hood*, *supra* note 19, at 15 (stating that if a girl leaves to get a job, further her education, or have a baby, she may be allowed to "walk out").

259. SIKES, *supra* note 19, at 8. See also SANYIKA SHAKUR, A.K.A. MONSTER KODY SCOTT, *MONSTER: THE AUTOBIOGRAPHY OF AN L.A. GANG MEMBER* (1993) (describing his life as an O.G. of an L.A. gang).

260. SIKES, *supra* note 19, at 8.

261. *Id.*

262. *Id.* at 59–94.

I never believed when women hurt their babies it was 'cause of too much pressure. I heard stories like that. I thought it was bullshit. But since I've had them all.... I'm afraid I might hurt them. No woman who hasn't had kids can know how much pain it causes you. First physically. Then it can make your mind unstable.²⁶³

Motherhood is a struggle in so many ways. There are few men in their communities to provide them with support. Many girls turn to the state, rather than their gang or a man to provide them with the resources to care for their children. They trade-in one form of dependency for another.²⁶⁴

The other way out of the gang is prison. But even in jail, these girls cannot escape female competition. As Rachel Jimenez, a deputy in the Los Angeles gang unit explains:

It's true females will never achieve the strength of guys. Once in jail, they'll talk the talk and walk the walk, empowered by the fact there's no men here to call the shots. But you listen to the complaints of women in jail, their primary bitch is their love life. They have boyfriends on the outs.... In female prisons what matters most are matters of the heart.²⁶⁵

These accounts support the hypothesis that girl gangs engage in the most extreme forms of female competition as well as cooperation. Violence is intricately woven with their desire for men, and when there are no men, for the resources that men used to provide—money, status, and protection. They are victims, but deny that victimization. They talk trash. They kick ass. While girls openly and honestly discuss female competition, they do not abhor it. Girls get in the mating game. Yet, even when they play by the rules, they seldom get what they really, really want.

III. WHAT'S LAW GOT TO DO WITH IT?

Understanding girl gangs within the larger framework of female competition has many implications for the criminal justice system. First and foremost, it suggests that the law cannot ignore female violence or wish it away. It is not a result of media backlash. Aggression is part of human nature. As long as social conditions worsen and pop culture profits, our natural aggressive tendencies are likely to manifest in extreme forms of female competition. Girl gangs as we now understand them may change their form and structure, finding new and exciting ways to gang up for fun, friendship, and ultimately love. Nevertheless, unless we consciously make things better for the lives of both boys and girls, females will fight ferociously if what we really, really want is harder and harder to get.

It would be ideal if we could remove all of the oppressive circumstances that girls face—to create a utopia where resources are infinite and good men are many (or,

263. *Id.* at 65.

264. Wing and Willis, *supra* note 19, at 173–75 (discussing the effects of poverty of female inner-city gang members and advocating programs to aid mothers and families).

265. SIKES, *supra* note 19, at 69.

for some, like *Herland*,²⁶⁶ where men are extinct). A world where sex is safe and its many expressions embraced rather than exploited. A world where, as Martin Luther King, Jr. said, we judge children not by the color of their skin but by the content of their character.²⁶⁷ But we live in an imperfect world where resources are finite, sex is scary, *Color(s)*²⁶⁸ count, and a good man is hard to find.

The law decides when gender matters in an imperfect world. The legal system can either afford girls special treatment or treat them the same as boys, but it cannot do both in any one case.²⁶⁹ As Margaret J. Radin has argued, "We must look carefully at the nonideal circumstances in each case and decide which horn of the dilemma is better (or less bad) and we must keep re-deciding as time goes on."²⁷⁰ Thus, we should choose the solution that best promotes the long-term equality for women given the current stage of women's progress and our ideal concept of gender, recognizing that neither solution will be cost-free.²⁷¹

Understanding female violence as a form of female competition helps the law decide which horn of the dilemma is the better one to grasp. Currently, the legal system is fighting the same battle as contemporary criminology. Similar to the ongoing debate about the battered women's syndrome and other excuse or justification-based defenses used mostly by women,²⁷² the law has yet to decide whether to treat violent girls as agents or victims.²⁷³ The fact that girls are treated differently depending on

266. CHARLOTTE PERKINS GILMAN, *HERLAND* (1979).

267. Martin Luther King, Jr., *I Have a Dream*, in *A TESTAMENT OF HOPE: THE ESSENTIAL WRITINGS OF MARTIN LUTHER KING, JR.* (James Melvin Washington ed., 1986).

268. *COLORS* (Orion Pictures 1988) is a Hollywood movie about the Bloods and the Crips, who wear distinguishing colors. See also Wing & Willis, *supra* note 19, at 147.

269. See Hanna, *No Right to Choose*, *supra* note 62, at 1886 (arguing that the legal system should apply the same pragmatic analysis to mandated victim participation in domestic violence prosecutions).

270. See Margaret Jane Radin, *The Pragmatist and the Feminist*, 63 S. CAL. L. REV. 1699, 1700 (1990).

271. *Id.* at 1700-02.

272. See, e.g., Anne M. Coughlin, *Excusing Women*, 82 CAL. L. REV. 1, 7 (1994) (arguing that the battered woman syndrome reinforces the male hierarchy by rendering women to be just a set of mental symptoms); David L. Faigman & Amy J. Wright, *The Battered Woman Syndrome in the Age of Science*, 39 ARIZ. L. REV. 67, 75-76 (1997) (arguing that the scientific evidence on the battered woman syndrome was never a matter of good science); Elizabeth M. Schneider, *Describing and Changing: Women's Self-Defense Work and the Problem of Expert Testimony on Battering*, 14 WOMEN'S RTS. L. REP. 213 (1992) (suggesting that the use of the battered woman syndrome may have the unintended consequence of victimizing women at the expense of their agency); Elizabeth M. Schneider, *Particularity and Generality: Challenges of Feminist Theory and Practice in Work on Woman-Abuse*, 67 N.Y.U. L. REV. 520, 548-67 (1992) (discussing the agent-victim dilemma in the domestic violence context).

273. See, e.g., Fitzgerald, *supra* note 104, at 539 (1996) (arguing that "[w]e can be humbled, after consideration of the economic, racist, and sexist context of these children's crimes, to witness children's independent assertions of self-worth"); Jane C. Ollenburger & Kathy Trihey, *Juvenile Justice: Differential Processing and the Illusion of Equality*, 13 HAMLINE J. PUB. L. & POL'Y 229 (1992) (presenting an historical overview of Minnesota's juvenile system, comparing the gender differences in juvenile arrest rates, and suggesting that

their crime reflects our ambivalence about sex and power. While female juvenile offenders pay a higher price for minor and status offenses like truancy, shoplifting, and curfew violations, they still get a discount for violent crimes when compared to their male counterparts.²⁷⁴ Yet, the sale on big ticket items is likely to end as we see a decline in chivalry, more attention by law enforcement to female gang activity,²⁷⁵ statutes which mandate that juveniles be waived into adult court,²⁷⁶ and gender neutral sentencing guidelines.²⁷⁷

juvenile females have special needs that are not presently being addressed); Anne Bowen Poulin, *Female Delinquents: Defining Their Place in the Justice System*, 1996 WIS. L. REV. 541, 545-48 (1996) (arguing that the juvenile justice system treats girls too harshly for sexually deviant conduct that would not be criminal if boys committed it); Wing & Willis, *supra* note 19, at 144-45 (characterizing female black gang members as tripled burdened by race, class, and gender).

274. See POE-YAMAGATA & BUTTS, *supra* note 16, at 10, 13 (finding that in delinquency cases females were less likely to be formally processed with the filing of a delinquency petition and far less likely to be transferred to adult court than those cases involving males); Ronald J. Berger, *Female Delinquency in the Emancipation Era: A Review of the Literature*, 21 SEX ROLES 375 (1989); Meda Chesney-Lind, *Girls' Crime and Woman's Place: Toward a Feminist Model of Female Delinquency*, 35 CRIME & DELINQ. 5, 6-10 (1989); Josefina Figueira-McDonough, *Discrimination or Sex Differences? Criteria for Evaluating the Juvenile Justice System's Handling of Minor Offenses*, 33 CRIME & DELINQ. 403, 404 (1987); Ruth Horowitz & Anne E. Pottieger, *Gender Bias in Juvenile Justice Handling of Seriously Crime-Involved Youths*, 28 J. RES. CRIME & DELINQ. 75 (1991); David R. Johnson & Laurie K. Scheuble, *Gender Bias in the Disposition of Juvenile Court Referrals: The Effects of Time and Location*, 29 CRIMINOLOGY 677 (1991); Poulin, *supra* note 273, at 544-48; Sharon Tracy & Randall G. Shelden, *The Violent Female Juvenile Offender: An Ignored Minority Within the Juvenile Justice System*, 43 JUV. & FAM. CT. J. 33, 37 (1992).

275. *Girlz in the 'hood*, *supra* note 19, at 17 (arguing that law enforcement needs to pay more attention to female gangs).

276. For an overview of reforms in the juvenile justice system, see HUMES, *supra* note 203 (describing national trends as well as his experiences with juveniles in Los Angeles); Janet E. Ainsworth, *Youth Justice in a Unified Court: Response to Critics of Juvenile Court Abolition*, 36 B.C. L. REV. 927 (1995) (examining the flaws and inequities in the current juvenile justice system and suggesting a rethinking of the entire criminal justice system to include the abolition of the current two-tiered system); Ralph A. Rossum, *Reforming Juvenile Justice and Improving Juvenile Character: The Case for the Justice Model*, 23 PEPP. L. REV. 823, 838 (1996) (arguing that the "justice model seeks to achieve the twin goals of holding juveniles responsible for their criminal misdeeds and holding the juvenile justice system accountable to the public for what it does to these juveniles"); Frank Sullivan, Jr., *Indiana as a Forerunner in the Juvenile Court Movement*, 30 IND. L. REV. 279 (1997) (providing a history of one of the nation's first juvenile courts).

277. See, e.g., Ilene H. Nagel & Barry L. Johnson, *The Role of Gender in a Structured Sentencing System: Equal Treatment, Policy Choices, and the Sentencing of Female Offenders Under the United States Sentencing Guidelines*, 85 J. CRIM. L. & CRIMINOLOGY 181, (1994); Myrna S. Raeder, *Gender and Sentencing: Single Moms, Battered Women, and Other Sex-Based Anomalies in the Gender-Free World of the Federal Sentencing Guidelines*, 20 PEPP. L. REV. 905 (1993) [hereinafter Raeder, *Gender Sentencing and Single Moms*]; Myrna S. Raeder, *Gender Issues in the Federal Sentencing Guidelines and Mandatory Minimum Sentences: "Gender Neutral" Sentencing Wreaks Havoc in the Lives of Women Offenders and Their Children*, 8 CRIM. JUST. 20 (1993) [hereinafter *Gender Issues in the Federal Sentencing*

Some suggest that the system punishes girls more harshly for minor offenses partially because this is a way to police female adolescent sexuality—to teach girls their proper place.²⁷⁸ Yet, when girls act out violently, prosecutors and judges may, arguably, deny it,²⁷⁹ or, as this analysis has suggested, minimize it because they find it sexually exciting, at least at a subconscious level. On a conscious level, treating girls differently than boys justifies gender discrimination in other areas of women's lives.

In current legal theory and practice, there is strong tendency to syndromize or pathologize female violence.²⁸⁰ Interestingly, there was a parallel development between the use of syndrome and other psychological evidence to explain violent female behavior and the introduction of gender-neutral sentencing guidelines that forbade judges to treat women offenders differently than male offenders.

For example, the admissibility of battered women's syndrome evidence was first upheld in 1984 in *State v. Kelly*.²⁸¹ This was the same year in which the Federal Sentencing Guidelines were passed, which prevented judges from deviating below the statutory minimum based on gender. This relationship is worth exploring in more depth than this Article will do. Nevertheless, this observation suggests that the good and bad of paternalism still lives in the criminal justice system, and that it may be swept along by the strong, historic undercurrent of the myth of innocence.

In their own voices, these girls seek status and power in a world where they have few measures of success. Ultimately, the agent-victim debate is unresolvable because it is a false dichotomy. As Elizabeth Schneider explains: "[W]e go back and forth between these two images without any real public engagement on the problems...."²⁸² However, she continues, "portraying women solely as victims or solely as agents is neither accurate nor adequate to explain the complex realities of women's lives."²⁸³

Guidelines]; Jack B. Weinstein, *The Effect of Sentencing on Women, Men, the Family, and the Community*, 5 COLUM. J. GENDER & L. 169 (1996).

278. See Cheryl Dalby, *Gender Bias Toward Status Offenders: A Paternalistic Agenda Carried Out Through the JJDP*, 12 LAW & INEQ. J. 429 (1994) (examining the 1980 amendment to the Juvenile Justice and Delinquency Prevention Act of 1974 and its effect on female status offenders and suggesting that the judicial discretion available through the JJDP allows paternalistic treatment of female offenders to continue, and that it is enacted as an attempt to control female sexual behavior); Rachel Devlin, *Female Juvenile Delinquency and the Problem of Sexual Authority in America, 1945–1965*, 9 YALE J.L. & HUMAN. 147 (1997).

279. See Kathleen L. Soll, *Gender Bias Task Forces: How They Have Fulfilled Their Mandate and Recommendations for Change*, 2 S. CAL. REV. L. & WOMEN'S STUD. 633 (1993) (examining state and federal gender bias task forces and exploring gender bias in the decision-making process).

280. See, e.g., ALAN M. DERSHOWITZ, *THE ABUSE EXCUSE* 243–315 (1994); Coughlin, *supra* note 272, at 7 (arguing that the defense of battered women who kill their abusers often defines the women as a "collection of mental symptoms, motivational deficits, and behavioral abnormalities"); Elizabeth M. Schneider, *Equal Rights to Trial for Women: Sex Bias and the Law of Self-Defense*, 15 HARV. C.R.-C.L. L. REV. 623, 646 (1980) (voicing concern that expert testimony on learned helplessness may promote stereotypes of women).

281. 478 A.2d 365 (N.J. 1984).

282. Schneider, *Particularity and Generality*, *supra* note 272, at 549.

283. *Id.*

Girl violence is not just expressive—the result of an uncontrollable urge or a sudden snap—but a rational response to the pathological worlds in which they live. When the law decides whether females ought to be treated the same as males for similar acts—drive-bys, jump-ins, car jackings, or vengeful attacks on others—we are cautioned not to undermine their autonomy by suggesting that they are *more* victimized than males and thus deserve different treatment.²⁸⁴ A biological distal starting point and a close analysis of the proximal causes of girl gang activity suggests that both male and female aggression are similarly strategic. When girls do violence, their motive is men. Their victim, either actual or perceived, is the other women. When we are faced with the danger of losing the man we love, our instincts tell us—fight or flight. These girls are often fighters. Stupid? Almost always. But insane? Almost never. Admittedly, women are often victims of men, but it doesn't make them helpless. If we advocate special treatment in this context, we buy right into what these girls already advertise—if they act crazy—we will leave them alone. Creating difference between girl and boy violence is just another way for the law to manipulate female sexuality. We have come too far to return to the days where female sexuality was repressed and considered deviant—when men enjoyed sex and we had to pretend.²⁸⁵ “Special” treatment takes the joy out of *girl power*.

Suggesting that gang girls have no real choice but to engage in violence is inconsistent with what these girls tell us.²⁸⁶ They choose their violence strategically, articulating that, in many cases, their motive is to attract high status men or to rise in the ranks of the gang. They may make bad choices, but not irrational ones. As Anne Coughlin has argued in the domestic violence context, if we excuse women for criminal misconduct “on the ground that they cannot be expected to, and, indeed, should not, resist the influence exerted [in the social context]...[we vest in men] the authority to govern both themselves and their irresponsible wives.”²⁸⁷ Characterizing gangbangers as mad girls rather than bad girls is likely to have the unintended consequence of reinforcing a male hierarchy and institutionalizing the belief that females are incapable of rational self-control. Denying the instrumentality of female aggression undermines arguments for female equality in contexts like the military,²⁸⁸

284. See, e.g., Stephen J. Schulhofer, *The Feminist Challenge in Criminal Law*, 143 U. PA. L. REV. 2151 (1995).

285. See, e.g., NADINE STROSSEN, *DEFENDING PORNOGRAPHY: FREE SPEECH, SEX, AND THE FIGHT FOR WOMEN'S RIGHTS* (1995); SALLIE TISDALE, *TALK DIRTY TO ME: AN INTIMATE PHILOSOPHY OF SEX* (1994) (defending the right of women to enjoy their sexual sides from both legal and personal perspectives).

286. See CHESNEY-LIND, *supra* note 73, at 4–5 (arguing that the choices of women and girls on the margin place them in situations where they are likely to be swept up into the criminal justice system).

287. Coughlin, *supra* note 272, at 5–6.

288. See Steven A. Delchin, Comment, *United States v. Virginia and our Evolving “Constitution”: Playing Peek-a-boo with the Standard of Scrutiny for Sex-Based Classifications*, 47 CASE W. RES. L. REV. 1121, 1138 (1997) (“Women, it is often claimed, are passive, not aggressive, emotional, not composed, and nurturers, not killers. Even if female submissiveness is culturally conditioned rather genetically-imposed, proponents of the combat exclusion rules point out that, even so, ‘the fact remains that women are less aggressive.’”).

the law,²⁸⁹ sports,²⁹⁰ and academia, arenas where access is worth fighting for.²⁹¹ It strips us of the responsibility of *girl power*.

Furthermore, the academic spin of the powerless female fails to account for the fact that the vast majority of poor, urban and rural, minority and white girls (and boys) do not engage in criminal violence. They too have stories that we need to listen to and learn from. It is imperative that we understand why similarly situated kids choose different paths. Social and cultural contexts matter, but is no more deterministic of individual behavior than biology. To suggest that there is something "beyond their control" that makes girls in certain environments act violently is both factually inaccurate and intellectually dishonest.

Equality is bittersweet. Given the current "get tough on crime" political climate and law reform at both the state and national levels which endorses punishment over rehabilitation for violent juvenile offenders, we may likely see more girls go to jail rather than find life-fulfilling routes out of violent gang activity. Many have persuasively argued that this punitive approach to juvenile crime is not working.²⁹² Nevertheless, when good girls do bad things, we must be very careful not to suggest they are crazy by allowing them to escape culpability.

289. See Deborah Hellman, *Two Types of Discrimination: The Familiar and the Forgotten*, 86 CAL. L. REV. 315, 316 (1998) ("[I]f a law firm refuses to hire women lawyers because the firm management believes that women are less aggressive than men, then sex is a proxy for aggressiveness."); William L. Kandel, *Age Discrimination: Recent Decisions by Appellate Courts Under the Age Discrimination in Employment Act Through Mid-1998*, 593 P.L.I.L.I.T. 7, 334 (1998) (finding that "[s]exism was suggested in deposition testimony which labeled the women candidates nervous, emotional, and less aggressive and cool than the promoted male").

290. See *supra* notes 29–35 and accompanying text (describing the recent advancements in women's sports).

291. PEARSON, *supra* note 83, at 31–32.

292. See, e.g., G. David Curry & Scott H. Decker, *Understanding and Responding to Gangs in an Emerging Gang Problem Context*, 31 VAL. U. L. REV. 523 (1997) (discussing the St. Louis anti-gang program which is "a coordinated, community-based effort that involves grass-roots organizations, government, the juvenile justice system, and law enforcement"); Marian Wright Edelman & Hattie Ruttenberg, *Legislating for Other People's Children: Failing to Protect America's Youth*, 7 STAN. L. & POL'Y REV. 11 (1995–96) (arguing that there are many problems facing today's youth including an unregulated gun industry and not enough positive factors in a child's life and advocating that policymakers focus on youth, development opportunities during non-school hours, such as athletic programs); Susan Gaertner, *Three Strikes Against Juvenile Crime: Prevention, Intervention, and Detention*, 30 PROSECUTOR 18 (Nov./Dec. 1996) (explaining her program for juvenile crime: prevention, intervention, and detention of very violent children and advocating child support collection to aid children, cutting down on truancy and cracking down on gangs and guns); Frank E. Harper, *To Kill the Messenger: The Deflection of Responsibility Through Scapegoating (A Socio-Legal Analysis of Parental Responsibility Laws and the Urban Gang Family)*, 8 HARV. BLACKLETTER J. 41 (1991) (defining the various ways that states can punish parents for the gang-related activity of their minor children, which rests on the theory that parents have control over their children and arguing that society avoids collective responsibility because taking into account the gender, social, racial, and economic realities facing gang families would amount to a realization that America doesn't hold the same promise for all of its members); Barbara Gilleran Johnson &

Early criminologists suggested that females were morally inferior.²⁹³ Today, many feminists suggest that women have a different moral viewpoint,²⁹⁴ which arguably is morally superior. Understanding the competitive nature of female violence reminds us that neither sex is the superior one. Neither males nor females are captive to our biological beginnings. Just like the Bonobos and the women of Belize, we can devise strategies to overcome the ways in which we compete for males. We can recognize that we participate in our own oppression. We can cooperate. Most of all, we can acknowledge that when we fight for men, sometimes we lose.

Our children lose as well. Many violent girls are also mothers by the time they find their way into the criminal justice system. When we incarcerate mothers, their babies are left alone, often dependent on extended family or a severely broken foster care system. Some argue that family responsibility, i.e. motherhood, ought to factor into sentencing decisions.²⁹⁵ It is a bait and switch on the gender difference debate. The fact that females make a greater parental investment in their children does not mean that we should advocate sentencing that takes males away from their families. Boys are parents too. We further marginalize men when we advocate special treatment for mothers but not fathers. We reinforce the desire to parent without responsibility for men. We are guilty of exalting Madonna.

One law reform strategy is clearly not working. Criminalizing or providing enhanced penalties for gang membership is, by far, the most misguided policy in this area.²⁹⁶ Teenagers, like all humans, are social beings: we group together. Within these peer groups, teenagers will likely both cooperate and compete to meet their needs and desires. There are many positive aspects of gangs for girls. Just like our experiences

Daniel Rosman, *Recent Developments in Nontraditional Alternatives in Juvenile Justice*, 28 LOY. U. CHI. L.J. 719 (1997) (providing a brief background on the history of juvenile justice, discussing teen court programs that communities have implemented as a result of juvenile problems, and addressing various programs, including those that allow a teen peer jury to punish juvenile defendants, parental responsibility ordinances, and curfew regulations); Stephen J. Schulhofer, *Youth Crime—And What Not to Do About It*, 31 VAL. U. L. REV. 435 (1997); Louis Holland, Note, *Can Gang Recruitment Be Stopped? An Analysis of the Social and Legal Factors Affecting Anti-Gang Legislation*, 21 J. CONTEMP. L. 259 (1995); Jack Katz, Comment, *Youth, Violence—A Special Kind of Addiction. The Rites of Teenage War v. The Rights of All Our Citizens: What Happens When 'The Kings Own It!'* 16 HUM. RTS. 20 (1989); James A. Maloney, Comment, *Constitutional Problems Surrounding the Implementation of "Anti-Gang" Regulations in the Public Schools*, 75 MARQ. L. REV. 179 (1991); David S. Rutkowski, Student Article, *A Coercion Defense for the Street Gang Criminal: Plugging the Moral Gap in Existing Law*, 10 NOTRE DAME J.L. ETHICS & PUB. POL'Y 137 (1996).

293. See *supra* notes 119–20 and accompanying text (describing historical characterizations of women as morally inferior).

294. See, e.g., CAROL GILLIGAN, IN A DIFFERENT VOICE 173 (1982) (arguing that women have an "ethic of care").

295. See Raeder, *Gender Sentencing and Single Moms*, *supra* note 277; Raeder, *Gender Issues in the Federal Sentencing Guidelines*, *supra* note 277, at 55–56; Dorothy E. Roberts, *Motherhood and Crime*, 79 IOWA L. REV. 95 (1993); Weinstein, *supra* note 277, at 177. *But see* Nagel & Johnson, *supra* note 277, at 200, 208.

296. See David R. Truman, Note, *The Jets and Sharks are Dead: State Statutory Responses to Criminal Street Gangs*, 73 WASH. U. L.Q. 683, 688 (1995) (describing recent state initiatives aimed at criminalizing gang activity).

with sororities, the girls scouts, ladies' lunches, and feminist theory reading groups, females understand that sisterhood can be powerful. Dividing us is cruel. By criminalizing membership, we are likely to reinforce and solidify gangs, further increasing their violence,²⁹⁷ as well as removing many boys and girls from their communities for what amounts to guilt by association. Thus, as Jeffrey J. Mayer has argued, we need to turn back to a "principle of individual moral culpability."²⁹⁸

Gender does matter in prevention and rehabilitation. Currently, there are few programs that are aimed at the prevention or rehabilitation of violent female juvenile offenders.²⁹⁹ These programs are vastly underfunded and understudied in comparison to those for boys.³⁰⁰ Furthermore, few have attempted to take a gender-specific approach, focusing on the unique way in which females compete with each other for men and the very different problems that they experience. One size will not fit all.

We need programs for girls that are gender and community specific. Yet, when we advocate strongly that girls need more attention, it can not come at the expense of boys. Juvenile crime is not a zero-sum game. If we continue to marginalize men, making it harder for them to make the kinds of investments in their children that many are so fond of paying lip service to, then both girls and boys will behave badly, and that will be as good as it gets.

IV. THE TRUCE

Women scholars are no different than the Spice Girls or the Sex Girls. We too are engaged in a struggle for power and the privileges of membership. We do so by ganging up with each other and against each other in what seems to be a never ending battle to be accepted by our male colleagues on our own terms. We promote each other and diss each other. What we really, really want is tenure, then control.

We are coming of age at a time when we have many opportunities as well as challenges before us as we make our way in the academic world. Sadly, however, our arguments are becoming increasingly polemic as we discover that aggressive rhetoric moves up us in the ranks. Wicked words are sexy. We love the discovery of our own voice. We too experience the paradox of *girl power*.

Like the words from the mouths of the babes described above, we need to openly and honestly discuss the nature of female competition and the many pleasurable and perverse forms it can take. I hope that this analysis, which incorporates biological, social, and cultural factors related to female aggression, facilitates this dialogue. Until those of us privileged enough to fight with the pen

297. See Klein, *supra* note 92, at 234–35.

298. Jeffrey J. Mayer, *Individual Moral Responsibility and the Criminalization of Youth Gangs*, 28 WAKE FOREST L. REV. 943, 984 (1993). See also Wing & Willis, *supra* note 19, at 169.

299. See ARTZ, *supra* note 65; Ford, *supra* note 9; Poulin, *supra* note 273.

300. See Andrea D. Shorter et al., *Out of Sight, Out of Mind: The Plight of Adolescent Girls in the San Francisco Juvenile Justice System*, REPORT FROM THE CENTER ON JUVENILE JUSTICE & CRIME 1, July 1996, at 12–18 (describing San Francisco's services to adolescent girls and recommending more services and better research).

rather than the sword stop behaving badly ourselves, recognizing and respecting that our differences are part of a common struggle, we will fail to make better the lives and loves of the girls who really, really need our help. We need to remind ourselves that the game these girls play is far more lethal than our own. Ultimately, we should try to create a world, reflected in our legal system, that embraces the good and the bad in us all. Like the lyrics of Meredith Brooks:

I'm a bitch, I'm a lover, I'm a child, I'm a mother,
I'm a sinner, I'm a saint, I do not feel ashamed.
I'm your hell, I'm your dream, I'm nothing in between.
You know you wouldn't want it any other way.³⁰¹

301. MEREDITH BROOKS, *Bitch*, on *BLURRING THE EDGES* (Capitol Records 1997).

