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Quantifying Product Creativity in Design: A Quasi-Experimental Methodological Approach

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Abstract
Creativity research studies have been predominately focused on adopting methodologies rooted in psychology. Employing various psychometric approaches, experts use sophisticated statistical tools to understand the multifaceted aspects of creativity (Long, 2004). Quantitative methodologies dominate the field of research, specifically creativity metrics which seem to be contingent on psychometric enquirers that primarily test creative thinking. Experts now imply that disagreement on some of the key issues of creativity assessment and measurement could indicate a lack of methodological diversity (Hove 2004). As such, this study proposes an adapted quasi-experimental approach. A game-like task (CBoard©) was developed in order to generate products in an attempt to quantify a creativity dimension: flexibility. The step-by-step model proposed here is a methodological approach that could be applied to the study of creativity in domains that exist outside psychology.

Keywords
creativity, creativity measurement, quantifying creativity, creativity methodology, quasi-experiments in creativity, creativity in design, creativity in higher education

1. Introduction
This paper aims to propose a methodological model that allows the study of creativity measurement outside psychology. The model will be exemplified by directly referencing aspects of a broader research study that is centred on quantifying creative manifestations in design. In an attempt to identify some of the challenges when approaching the topic as a non-psychologist researcher, the paper will initially outline some of the most common research approaches when studying creativity Subsequent sections of the paper will address the linear development of the model by breaking it down into six steps.

2. Methodological approaches and challenges when studying creativity
Creativity, a philosophical annoyance riddled with paradoxes that often leave researchers in a frustrated position, is a topic of investigation that is as fascinating as it is challenging. Scholars argue that in today’s society, technologies are quickly transforming information into accessible commodities and attention should be shifted back to the individual, who has the unique capacity to create (Corazza 2016). Experts warn that with the continuous growth and development of these technologies, the social and
economic ecosystem will change. Hennesey and Watson (2015) support this argument, reinforcing the idea that understanding creativity in humans should not be neglected nor delayed. The sense of urgency that seems to dominate recent published studies point towards the necessity to take action. As a distinctive feature of humanity (Sternberg 2018) the creativity puzzle and its practical importance are both driving and feeding research curiosity. The topic means different things to different people, and its challenging nature causes consequences that in research terms make its investigation problematic.

Sitting under the umbrella of an established subject like intelligence, creativity is yet to ascertain itself as a robust field that can yield unanimously accepted social contributions. Despite 70 years of research, creativity remains a fuzzy concept which is known to invite controversy, and often leads to theoretical disagreements (Sternberg 2018) that ultimately prevent the field converging. The polemic nature of some of the key questions that range from what is creativity to how can it be measured puts researchers in a vulnerable position. Often exploratory, creativity investigations have been criticised for their lack of methodological diversity and occasionally rigour (Long 2014). The number of disagreements that riddle creativity as a field, have left researchers to conclude bitterly that creativity is somewhat of a scientific disaster area (Kharkurin 2014, directly quoting Kaufmann 2008).

Yet, creativity as a research topic warrants further analysis. Despite these challenges, the field is not short on contributions. Findings are continuously being published and the body of literature has been growing substantially. A review conducted by Long (2014), found that about 1,127 studies were published between 2003 and 2013 in five top creativity journals. A vast majority of these were quantitative in nature and employed one of the following six methodological approaches: psychometric, experimental, biographical, contextual, biological or computational1 (Wehner, Csikszentmihalyi and Magyari-Beck 1991; Long 2014). As creativity is embedded in intelligence research, a good proportion of these papers (62%) belong to psychologists, who follow a psychometric research approach (Long 2014). The mental capabilities of the individual are at the forefront of this approach and the research question is often centred on the question of how could these capabilities be measured? The familiarity of the psychometric approach together with the well-defined parameters of studying it from a psychological perspective tacitly suggest that perhaps this is the best way

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1 Psychometric: researchers consider creativity a mental trait and administer questionnaires. Biographical: researchers use existing biographical data to identify creativity via case studies. Experimental: researchers view creativity a cognitive process use problem solving experiments. Biological: researchers try to understand creativity by neurologically monitoring brain activities. Computational: researchers view creativity as a process that could be mimicked by computers. Contextual: researchers view creativity as a result environmental influences.
forward, at least from a methodological perspective. Despite the merits of the psychometric approach, Mumford (2003) points out that this might be an indication of methodological isolation. The application of one methodological approach to the exclusion of others could have drawbacks on the integration and application of findings. “While the psychometric approach to intelligence is generally considered one of psychology’s greatest success, the same cannot be said about the cumulative approach to the study of creativity...particularly once one transcends the ‘cocktail party’ variety of creative production” (Policastro and Gardner 1999: 213). Reiter-Palmon et al (1997) also advocated a multi-method perspective, which they believed could lead to more comprehensive research designs. As Mumford (2003) notes, non-psychometric research approaches come with limitations that researchers must be prepared to acknowledge. These are relatively new approaches that have not been tried, tested and refined, therefore caution must be exercised when discussing findings. However, the consensus is that creativity would benefit from being studied through other disciplinary perspectives (Csikszentmihalyi 1988). Allowing a more flexible, multi-disciplinary study of creativity, non-psychologist researchers could venture towards one of the other five approaches (Long 2014). Some studies, which range from life story investigations (Hass 2012) to breaking down what makes a digital game creative (Chuang and Huang 2015), show that researchers attempt to investigate creativity outside the psychometric approach. However, the distribution of studies shows a dispersed reality in which research projects that do not employ a psychometric approach make up only 38% of the existing body of literature (Long 2014). Despite the implication that the later studies are methodologically diverse, and researchers can mix and match the methods within the five approaches, rigour is still questioned (Rodgers and Yee 2018). These studies are driven by the same research questions of what is creativity and how can it be measured, but mixing methods has left non-psychologists susceptible to criticism (Rodgers and Yee 2018). The aftermath of research accessibility opened up the discussion on the methodological relevance of non-psychometric approaches. It could then be tentatively speculated that methodological flexibility seems to cost research accuracy. The need for a similarly sound approach as psychometrics that would allow the study of creativity outside the psychological domain could be perhaps of value. Hence this paper is proposing a research methodological procedure that hopes to show that there could be ways to study creativity in other domains without inevitably implying methodological weakness. As mentioned above, the proposed approach is part of a larger research study that aims to quantify product creativity in a domain that does not traditionally sit under the psychological umbrella, namely design.
3. Methodological procedures that allow the exploration of creativity measurement

When the question that drives a research project is how to quantify product creativity, one of the first decisions centres on optimum ways to explore it. Although a seemingly straightforward process, the very nature of creativity and the state of play in the field make the issue of methodological selection challenging. If the rule of the many trumps the rule of the few, then the psychometric research approach is favoured. However, if the research question is framed in a field that is conceptually distant from psychology, as it is in the case of design, the choices are anything but clear-cut. The decision is inherently complex, as a selection must be made between possibly compromising research rigour or becoming a psychometric specialist. Feasibility wise, the latter is not an option, therefore the sensible way forward would be to pick one of the five approaches and adapt it in a manner that would still follow the perceived rigour of the psychometric principles.

Out of the five approaches, historically, experimental research procedures are closely linked to the field of psychology (Harris 1986) and are viewed as being methodologically stronger. This was one of the first avenues considered fit to adapt when conducting a research project that sought to look into creativity from a design perspective.

When investigating creativity, experimental researchers place the manifestations of creativity at the centre of their study. These manifestations are considered to be creative products in the broadest sense, ranging from ideas to tangible outcomes. Experimentalists view creativity as a cognitive process than could be studied through these manifestations (Long 2014). By reframing the ‘object’ of investigation from the mental capabilities of the individual and placing attention onto the manifestations of these mental capabilities, the study of creativity can be approached from a multidisciplinary perspective. The assumption therefore is that if these products are measured, the mental processes are also implicitly measured. Pure isolation and distinction of the two is not necessarily possible. As such, an element of psychometrics will always be present when taking this approach. The experimental methodological procedure calls for experiments (as methods of choice) that have been historically designed by scientists and social scientists. Credibility is under scrutiny when a non-psychologist/non-scientist researcher presents findings following this approach (Rodgers and Yee 2018). A clear step-by-step methodological model is not yet available to researchers, which places the study of creativity outside psychology. In a quest for methodological rigour, this paper will therefore suggest a model that will mainly employ an experimentalist approach with some elements of psychometrics. The methodological approach proposed here will be referred
to as a quasi-experimental approach\textsuperscript{2}. These types of experimental approaches are slightly more flexible and allow the study of topic from a multidisciplinary point of view.

4. A proposed methodological approach

Traditionally, research in creativity seems to be quantitative in nature, however an argument can be made for a mixed approach. Fryer (2012) points out that employing qualitative methods could offset the weaknesses of the quantitative approaches. While non-psychologist researchers express a clear preference towards qualitative methods, they also mix methods to manage the idiosyncratic nature of the data they collect. As methodological rigour is a particular source of concern, mixing methodologies and methods could be often seen as a strategic decision that minimises error. The methodological approach proposed here seeks to balance qualitative and quantitative procedures for what is hoped to yield valid results in the study of creativity in design. The following sections will outline the step-by-step model.

4.1. A six-step model

The quasi-experimental model proposed here (please refer to figure 1) will be broken down into six steps initially addressing the theoretical underpinnings that lead to the creation of each step.

\textsuperscript{2} Quasi Experimental Designs: the researcher does not have complete control over the cause and effect relationship between the two variables (Field and Hole 2003).
Figure 1. A quasi-experimental approach for the study of creativity in design. A six-step model (Author’s own 2018)
Step 1 | Converting the research question into a hypothesis

In the exploration of issues at the heart of the question *how could product creativity be measured*, much rests on how open or closed the question is (Denscombe 2002). As a subject that prompts controversy, identical research questions can yield manifold results that can be interpreted in a multitude of ways. To make the task more manageable, the question is often broken down into twofold research paths:

- product generation and consequently measurement or;
- existing product compilation and then measurement.

Probably the most famous example of the former is in Guilford (1983), in which participants were asked to generate ideas for unusual uses for a paper clip. These ideas were subsequently judged and scored. Similarly, various examples of the latter can be found in the literature, where either everyday products such as chairs ³ (Besemer and O’Quinn 1999) or socio-culturally creatively accepted products, for example Shakespeare’s sonnets (Simonton 2012) were collected and then scrutinised by their creative strengths and weaknesses.⁴ As both lines of research are open to controversy, methodological soundness calls for a narrowed research scope. One such practice is the translation of the research question into an arguably more manageable and more focused hypothesis (Harris 1986). In addition, hypotheses are usually aligned with the experimental approach (Harris 1986).

In the context of the wider research study discussed here, product generation and then measurement was selected as the research path. This implied that in order to carry out measurement, a product needed be generated. This is arguably one of the most controversial aspects of creativity research. Being able to justify why and how the products have been generated before even contemplating quantification is methodologically challenging. The relationship between product generation and measurement becomes a hypothetical avenue that could be used to narrow down the research question. This can be done by translating the question from *How could newly generated products be measured in the context of creativity* to a hypothesis that implies conditions that would focus down the research scope *If a product is newly generated under certain conditions, then the measurement of particular aspects of creativity will be possible*. Taking into account a relationship, the research question becomes an experimental hypothesis (Field and Hole 2003).

The hypothesis implies that particular attention should be placed onto the conditions that generate said product, inferring concomitantly that not all

³ Besemer and O’Quinn (1999) used chairs as an everyday object, a commonplace invention that makes the interaction with people familiar and comfortable, therefore easier to judge.

⁴ Shakespeare’s sonnets were chosen as an example of a culturally accepted product that has been studied for its creative qualities.
Quantifying Product Creativity in Design, Iacob and Hudson

aspects of the product will be measured. By doing this, the investigation of a fuzzy concept such as creativity could become arguably more manageable. To understand the wider context of the research study used here, key literature findings will be mentioned.

The body of knowledge on product generation is limited; however the nature of the activity that leads to the generation of these products is central to the discussion (Krumm et al 2014). In Guilford’s (1983) unusual uses for a paper clip activity, for example, any response was and still is accepted. These in turn get scored and then consequently measured against each other. One of the greatest advantages of an unrestricted, general and open task/activity is accessibility. Participants, regardless of age, background or culture could generate these products (in this case ideational responses). Accessibility, however, also means that the number of products made available could be infinite. From a methodological point of view, the absence of a cut-off point could lead to difficult or unmanageable data. As such, controlling and restricting the task/activity could possibly lead to less controversial results. Relating this back to the first section of the hypothesis, If a product is newly generated following certain conditions, then one of these conditions could be related to the nature of the task/activity.

The second part of the hypothesis the measurement of a particular aspect of creativity is comparatively more broadly covered in creativity literature (Snyder et al 2004). A vast majority of authors discuss a number of key aspects that could be investigated when addressing product measurement:

- fluency (counting the number of products generated),
- flexibility (placing the products in different categories and scoring them on conceptual distance),
- originality (scoring on statistical infrequency)
- and elaboration (scoring how detailed the response is) (Snyder et. al 2004).

While the four creativity measurement dimensions are the cause of many disagreements in the field, fluency and flexibility seem to be two of the most accepted creativity aspects that could possibly be quantified (Krumm et al 2014). In the context of the broader study, flexibility was the dimension that was further explored. Taking this assumption into account, the translation of the research question into a hypothesis was formulated as follows: If a product is newly generated by controlling the nature of the activity, then the measurement of flexibility as a dimension of creativity will be possible.

Once the experimental hypothesis has been clarified and decided upon, the research protocol call for setting up two types of variables: dependent and
independent (Harris 1986). Directly linked to the hypothesis, the dependant variable, is the part of the hypothesis that should allow measurement (in this case flexibility) while the independent variable implies control (in this case the nature of task/activity that allows the generation of products). The following step will address the creation of the task/activity that considers the previously mentioned hypothesis: If a product is newly generated by controlling the nature of the activity \(\text{(independent variable)}\), then the measurement of flexibility \(\text{(dependent variable)}\) as a dimension of creativity will be possible.

**Step 2 | Designing the experiment based on the experimental hypothesis**

The second step in the methodological model proposed here implies a careful consideration of the two variables:

- The nature of the task/activity: meaning that the task or activity should allow the generation of new products in a form of control.
- The task/activity will have to allow flexibility to manifest itself, otherwise the dependant variable cannot be measured.

Design was the chosen domain of study for the investigation of product creativity measurement, meaning that the activity sought to reflect to some extent the nature of the domain and not become too general. This implied that the nature of the task will have to be specific to the domain of study. To contextualise this, a broad overview of design will be provided in the next section.

**2a Developing a task/activity that is domain specific**

Ranging from graphic design to architecture or fashion, design is a discipline that employs a visual, purposeful expression of a solution (Wong 1993). Designers use conceptual, visual and relational principles and elements to solve specific problems. Regardless of their discipline, principles and elements like shape, size, colour and space unify designers’ practice (Zelanski and Fisher 1996). Therefore, the activity sought to allow the application and manipulation of these domain unifying principles and elements. It was also considered that while the domain principles and elements should control the nature of the task/activity, it should also be open enough to allow the manifestation of flexibility (which in turn would imply creativity measurement). The task proposed for the study was a simple analogue game like activity: The Creativity Board (CBoard©) that asked participants to generate a creative composition in a given space, using predefined shapes. In order to align this with the conditions identified above, the following aspects had to be controlled: number and type of shapes as well as predefined space and time. The shapes, created from foam board were magnetised so they could fit on a 40x40cm white board. They included:
• 16 basic shapes (10x10cm) (two types: eight quarter of a circle and eight squares; of two different colours, black and blue).
• A predefined space 40x40cm whiteboard.
• A brief: generate a creative composition.
• Rules: stacking the shapes is not allowed and all shapes have to be used.

The manipulation of the shapes was sought to allow the application of some of the elements and principles that unite design disciplines under the domain umbrella. The task was open enough for flexibility to manifest itself, as the CBoard© allowed for the modification and manipulation of the shapes. The number of shapes and the pre-defined space, meant that the task was open enough to permit the generation of new products, while controlling the conditions under which these were created (please refer to figure below)

![Figure 2. CBoard© Activity/Task (Author’s own, 2018)](image)

Once the activity had been decided upon and the dependent and independent variables considered and aligned with the hypothesis, the next step is to set up clear experiment protocols. These will be addressed in the next section. It is essential that step two is a direct reflection of step one and that both hypothesis variables have been considered when creating the task.

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5 Creating a task that is discipline specific and not domain specific would have placed too many restrictions and both openness and flexibility would have been under scrutiny. A domain specific task also sits somewhere in the middle between general and specific. It is not too general that it is applicable across all domains but not as specific as a discipline becoming too restrictive.
Step 3 | Setting experiment protocols

Setting up the right amount of time for any type of experimental task/activity is imperative as this could skew the results of the research study (Field and Hole 2003). After pilot testing the CBoard© proposed in step two, the activity/task time was set to three minutes, as this seemed to allow a comfortable completion of the composition. This was a step that called for trialling and was very much dependant on the nature of the domain principles and elements that drive task/activity creation.

3a. Product generation: participant recruitment

Once the task/activity was created and the conditions set, participant recruitment began. This was a decision that was very much driven by the nature of the task. The relevance of demographic variables like age, gender, ethnicity and income levels or education were circumstantial to the practical tasks/activity that was created in the previous step. In the case of the study discussed here, the literature review showed that domain familiarity was desirable, ergo education was an essential variable to consider in the recruitment of participants. Postgraduate design students from the School of Design (various design disciplines) were asked to take part. Being exposed to design as a domain of knowledge indicated that the participants were either explicitly or implicitly familiar with the elements and principles that the practical task was built upon. This in turn implied that they demonstrated domain comprehension (as well as their own discipline specific knowledge).

According to Zelanski and Fisher (1996), control groups are usually the norm when conducting experiments in the purest scientific sense; but as this was a quasi-experimental approach, a control group was not deemed necessary. All participants were exposed to the same task, and there was no before and after measurement scenario.

Once this step has been completed, and the CBoard© activity conducted, new products were generated. In the case of the CBoard© activity a total of 65 responses were collected. The number of responses was not however set in stone as it was very much dependant on the nature of the task and the number of domain principles and elements that lead to the creation of the task. The question of what is the appropriate number of responses that should be generated has been previously debated in the literature. Amabile (1996) gives examples that range from 22 to 15,000 when computers were used to evaluate certain aspects of musical products. A reasonable spread of responses were obtained and prepared for the next step.
Once a new product had been collected and photographed the response was digitised and prepared for the next step. This meant that the first part of the hypothesis had been completed. The following steps will address the measurement of the depended variable, which in this case was flexibility.

3b. Product judging: participant recruitment

In the previous section, the discussion on participant recruitment has addressed the importance of the student’s familiarity to the domain. Domain experience was also a factor in the recruitment of those who would judge the CBoard© products created by students. In this case, the decision to recruit judges with domain expertise was a direct result of the literature review. The debate on the question Creative according to whom? is still on-going, however the balance seems to be shifting towards valuing the opinions of those with domain expertise over those without it. According to Hayes (1989) it takes around five years of experience in the domain for an individual to be considered a quasi-expert and ten years’ experience to become an expert. Conditioned by the domain experience variable, design academics with both five and ten years of experience were recruited and asked to judge the responses produced by following a structured protocol that will be discussed in the following section.

3c. Setting up judging protocols

To ensure that judgments were conducted following a procedure that would yield a creativity score that could be later on validated, the Consensual Assessment Technique (CAT) developed by Teresa Amabile (1982) was proposed. The technique developed by Amabile (1982) was aimed primarily for creativity measurement in social psychology. The method was founded
on the presumption that experts recognise creativity when they see it. If they agree that a product is creative, then it must be true. (Amabile 1982). However, in order to use this judging protocol as part of the quasi-experimental procedure proposed here, a number of procedural requirements had to be met:

a. Requirements related to the practical task: according to Amabile (1996) the task must lead to the generation of visually observable responses that can become objects of assessment. The task should be open ended enough to allow the generation of more than one response and if circumstantially possible, this should not be highly dependent on special skills such as ‘drawing ability’.

b. Requirements related to the judges: Amabile (1996) notes that expertise in the field should not be identical, but the judges should be all familiar with the key domain principles and elements. This can be presumed true after the first five or ten years in the domain (Hayes 1989). The assessment of the products has to be made independently and agreement must be achieved without the opportunity to influence one another. Another essential condition expressed by Amabile (1996) was the issue of relative judgement, as the judges should rate products relative to each other and not against an absolute standard. Lastly the products must be always presented to the judges in a different random order.

To contextualise this within the study discussed here, the task conditions have been met as the CBoard© allowed the generation of more than one observable response. Furthermore, the task allowed the manipulation of design principles and elements that the participants were familiar with, and the completion of the CBoard© was not dependant on special skills. In regard to the secondary conditions, the judges were design academics recruited from Design Schools, hence with domain knowledge and with different levels of expertise (quasi-experts and experts). These judged the CBoard© responses independently, relative to each other and in random order.

Step 4 | Data collection

In order to facilitate both data collection and the judging activity, an analogue sorting scale was proposed. Noted by Amabile (1982), judging can be assisted by using a five point Likert Scale and asking participants to assign and score each response according to a category. These would range from one to five as follows: very uncreative (1), rather uncreative (2), undecided (3), rather creative (4), very creative (5) (Amabile, 1982). Judges were asked to categorise their responses while being video recorded. As the study was not intended to be purely quantitative, the design academics were asked to ‘think out loud’
and justify their choices. This was an important step in the research project as it allowed the collection of richer data that was qualitative in nature. This was hoped to provide answers not only towards which responses are creative but also why are these considered so. The ‘think aloud’ procedure will be further explained in the following section.

4a. Think aloud

Original to experimental psychologists, the think aloud method is defined as a verbalisation of a thought stream (Eccles and Arsal 2017). Often overlooked by qualitative researchers, this method could offer some insights into the cognitive process that take place when a participant is faced with a task or activity. For example, Eccles and Arsal (2017) used the think aloud method in order to recognise thinking patterns by asking golfers to verbalise their practice. These speech patterns allowed the observation of the golfer’s thoughts, leading to the extraction of valuable insights. In the context of this study, the think aloud method was seen as an appropriate way to deliver a qualitative dimension to the project. Once given the analogue Likert Scale, the design academics were asked to categorise the responses but also justify their thinking, ergo their internal decision-making process. Given the difficulty of the topic, prompts were prearranged in order to facilitate the judging activity and to ensure that the think aloud method would yield rich data. These took the form of questions such as: what makes that response rather creative? or what made you place the response in that category? These questions were not set in stone and were adapted according to the participant’s willingness to think aloud. The prompts were used to slightly structure the judging process as well as encourage thought processes verbalisation. To facilitate data collection, a product/response template sheet was created in order to capture the design academic’s responses. These were also used as contingency measures in the case of video recording failures. An example of a data capturing sheet can be seen below.

![Fig. 4. Data Capturing Template Sheets (Author’s own 2018)](image-url)
A total of 85 design academics judged the 65 products/responses. This in turn lead to the next step: data analysis procedures.

**Step 5 | Data analysis**

In the case presented here, two sets of data have been collected. On one hand, quantitative data, in the form of scores ranging from one to five, and on the other hand, the qualitative data in the form of the think aloud verbalisations. In order to analyse both sets of data and address the question of agreement between the judges, the quantitative data was subjected to factor analysis, while the qualitative data agreement was organised following the Q-Method. Both analytical approaches will be discussed and exemplified below. The overarching aim was to identify if the judges agreed with each other when scoring the CBoard© products and what were the reasons behind their judgements.

5a. Cronbach alpha

To assess the extent to which different raters/observers gave consistent estimates to the same activity, inter-judge agreement scores were extracted. These have been obtained in the past by using the Cronbach Alpha (Cronbach 1951) factor analysis (Stephanic and Randles 2014). While true or absolute consensus between judges is not entirely possible, an adequate inter-agreement score should be no lower than 0.70. In the case of the study discussed here, each judging activity outcomes were prepared for SPSS. The 65 CBoard© products showed agreement scores that ranged between 0.45 and 0.83. Out of the 65, 47 showed inter-rated agreement that was above 0.70. Consequently, only these were qualitative analysed following the Q-method procedure explained in the next section.

5b. An adapted Q-method

Developed in 1953 by William Stephenson, the Q-Method (QM) addresses the systematic study of the participants’ subjective viewpoints (Watts and Stenner 2012). The individuals sort a set of items according to their internalised thinking and emotional processes. Following the QM, these are compared and contrasted with the aim to find groups of people who share the same viewpoints on a topic. As noted by Q-Method.org (2018), this is a data reduction exercise. Using an analogue procedure or dedicated software, the data could be reduced to a number of shared viewpoints. This should allow the identification of patterns within similar viewpoints in order to conclude and recognise a shared viewpoint. The QM ultimately leads to an understanding of the variety of shared viewpoints on a given topic. In order to contextualise this, a CBoard© product will be used as an example. The picture seen here achieved a 0.79 inter-rater agreement. Most design
academics placed the example in the rather uncreative category giving it a score of two.

![CBoard Response example](image)

The participants made 37 statements related to this response. Among these, design academics mentioned that the response was *rather unbalanced, too easy, too predictable* or *too symmetrical*. After sorting these responses, three main categories became apparent: *boring, symmetrical* and *predictable*. Out of which *predictable* was the viewpoint that most commonly described the response used here as an example. The following conclusion was then made. This response was therefore considered rather uncreative (2) because it was predictable. The next and the final step encapsulate an amalgamation of all the data set gathered as a result of an experiment.

**Step 6 | New products creativity measurement sheets**

A visualisation of the results of the experiment was needed in order to present findings holistically, conclude on the hypothesis and complete the research circle. This was done by compiling a list of the products generated with the use of the CBoard® task/activity, presenting the agreement scores and consequently the viewpoints. Following the quasi-experimental methodology proposed here, testing the hypothesis was possible. At this point in time, employing the conditions presented in this paper, it could be tentatively concluded that creative flexibility can be accurately measured if the openness of the task is controlled. Given the controlled nature of the approach proposed here, quantification of creativity can be achieved with this methodological approach. The scores are the result of a controlled task that specific participants responded to. Particular participants have judged
the newly generated products and agreement between them was used to discuss result validity.

In order to make this methodological approach a mixed method in the purest sense, the qualitative data will have to be further interpreted. A follow up study would be needed to further develop the viewpoints. For example, in practical terms in the context of the task, what does predictability mean? Could it mean that one of the design principles or elements, like space or proportion was not manipulated enough or too much? Broader questions could also be further explored such as Could these responses become performance indicator? or Would a score of two mean that the individual does not have an ability to modify thinking therefore meaning that he/she does not show creative flexibility? or Does that mean that he/she does not have the capacity to be creative? These are still questions that need answer, however the proposed methodology could possibly be a way to keep the discussion on methodological rigour when studying creativity outside psychology open.

5. Concluding remarks

The approach proposed here does not claim to take an experimental or psychometric approach that is pure to the domains that most often use them, but to borrow from these with the intention to show a simple, step-by-step model. The paper suggests an attempt to methodologically understand how to answer the two main questions in the field: what is creativity and how could it be measured? A multidisciplinary form of mitigating and understanding creativity is arrived at, by controlling some of the controversial and subjective aspects that often led to disagreement. To say that the method proposed here is the ultimate measure of product creativity is not possible. This paper does not intend to offer an absolute solution to the study of product creativity measurement, but it hopes to start a conversation that exists outside psychology without compromising on research rigour. The story of creativity measurement is a challenging one to tell and it is more multifaceted than expected. In the space where this research exists and in this moment in time, the results do appear to show that a compact, methodological research circle could be achieved by adapting a quasi-experimental research approach. By using this methodology, the results of this research seem to confirm that creativity could be understood by observing products generated by a domain restricted task and by listening to what experts and quasi-experts have to say. The crude reality of creativity research is that, while fascinating, it is riddled with assumptions that could be perhaps interpreted as shortcomings. Partly due to the lack of a universally accepted theoretical grounding, conducting creativity research is methodologically challenging. The need for multidisciplinary methodological approaches is desirable and collaboration with psychologists is perhaps essential in order to ensure validity, translate and apply different research practices across different fields. This could be
perhaps an opportunity for psychologists and domain specific researchers to collaborate. Non-psychologist researchers could use their domain specific expertise to develop tasks/activities/stimuli while psychologists could use their expertise to ensure methodological rigour.

Figure 6. A quasi-experimental approach for the study of creativity in design (Author’s own 2018)

The battle to elucidate creativity is nowhere near over. Having a method to measure creativity could be of importance. Quantifying creativity could have great advantages, as being aware of a creativity quotient could be a pathway towards improving creative strengths. Quantifying creativity, either by employing the methodological approach proposed here or by following the psychometric approach could possibly yield practical insights into what is creativity and how it is in perceived in a domain of knowledge.
Creativity as a research topic has not reached a saturation point and opportunities for further research clearly exist. The direct effect of domain specific tasks/activities on a creativity construct like flexibility are worth exploring more in order to make plausible conclusions that could have a direct impact on real life and the Creative Economy. This research did not deal with the full complexity of the two main questions that are driving the field: what is creativity and how can we measure it? This research advocates that creativity is fundamentally a multi-faceted object of investigation. In order to understand it, researchers could consider working towards a simplified understanding. The quasi-methodological model proposed here is an attempt to add to the body of knowledge by demonstrating that it is possible to conduct a creativity research in a domain other than psychology. Making plausible assumptions that can be translated and directly applied in a domain of study like design could also mean that the methodological approach could be replicated in similar domains such as fine arts. The research methodology proposed here could possibly be replicated, as other tasks or activities could be created according to domain specifics and judging protocols and data analysis procedures followed as per the proposal. Reasonable findings could be then extracted and used to further the study of creativity on a multidisciplinary level.
Quantifying Product Creativity in Design, Iacob and Hudson

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Natural or Supernatural: Beliefs About the Causes of Intellectual Disability in Ghanaian Society

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Abstract
Beliefs about the causes of disability vary from society to society. Notably, these causal beliefs go a long way to influence people’s attitudes towards persons with disabilities and their families. Derived from a larger study that examined stakeholders’ perspectives on inclusive education for children with intellectual disabilities, this paper focuses on various explanations that research participants shared as causing intellectual disability. With the use of Focus Group Discussions (FGDs) and in-depth face-to-face interviews (IDIs), data was collected from 8 parents of children with intellectual disabilities, 5 resource teachers (special educators) and 18 members of the communities within which an inclusive education model for children with intellectual disabilities was being piloted. There were thirty-one participants altogether. Findings of the study reveal two broad sets of factors that participants believed to cause intellectual disability: physiological and supernatural factors. It is recommended that interventions that target children or individuals with intellectual disabilities take cognisance of such beliefs and the socio-cultural contexts within which they occur, so that potential barriers that may result from them can be addressed in a sensitive manner.

Keywords
beliefs, causes, intellectual disability, supernatural, Ghana

Introduction
Persons with intellectual disability face a lot of stigmatisation (Panek and Smith 2005; Werner 2015) partly due to misconceptions surrounding intellectual disability. People worldwide have varying beliefs about the causes of disability, and questions are often raised by families when a child is born with a disability. Common among the questions asked is how the disability came about (John and Montgomery 2016; Morgan and Tan 2011). Empirical information about intellectual disability suggests that it could be a result of several predisposing variables such as brain pathology; abnormal genes inherited from parents; nutritional deficiencies; metabolic issues; infections or illnesses during pregnancy, et cetera (Bernal 1995; de la Rocha 2011). De la Rocha (2011) however notes that although several hundred causes of intellectual disability have been discovered, many are still unknown. Perhaps it is as a result of inexplicable circumstances that some people turn to believe that the disability may have been triggered by a force that is beyond them as humans.

One study in India, for example, documents that in the Indian society, the birth of a developmentally disabled child is considered as an outcome of the sins committed by the parents in their previous life (Dhar 2009). Sheng (1999)
also reports that “people in Taiwan are conditioned to interpret the presence of genetic disabilities and infectious diseases as ‘retribution’ for the bad behaviour and moral lapses of the ancestors of the disabled or even of the disabled themselves, in their own previous lives” (Sheng 1999: 4, in Huang, Fried and Hsu 2009: 84). This phenomenon known as karma, was also identified by Taiwanese mothers as a reason why their children had intellectual disability (Huang, Fried, and Hsu 2009).

Lamichhane (2013), writing on disability and barriers to education in Nepal, also documents that more than one third of respondents in a study “misperceived disability as the result of various supernatural factors such as fate, punishment of the gods, evil eye curses, or punishment for parents’ sins” (313). Similar beliefs have been identified in various studies around the world (for example: Kisanji 1995: Lakhan and Sharma 2010; Panek and Jungers 2008). Beliefs that intellectual disability is caused by spiritual or supernatural factors are also prevalent in Ghanaian society (Avoke 2002; Botts and Owusu 2013; Botts and Evans 2010; Reynolds 2010). Whether validated or not, these beliefs influence attitudes toward people with intellectual disabilities and their families (MacKenzie, McConkey and Adnams 2016; Scior and Furnham 2016). However, supernatural attribution need not necessarily be as a result of evil or wrongdoing. Reflecting on the influence of some world religions on disability, Miles (2002) writes that:

If parents lament the fact that their child has a disability, and attribute it to some wrongdoing of their own, it may be unwise to contradict such a position directly—yet one might at another time mention that families in some parts of the world consider it an honour to be ‘given’ a disabled child. They believe that the deity, when sending babies to families, chooses a special family who will take loving care of the extra needs of the disabled child. A thought such as this, offered gently, not insisted upon, would be likely to be acceptable to people of almost any religion, whether or not they actually believe it. For some, it might prompt a re-evaluation of their own child and of their attitudes (Miles 2002: 128).

**Aim of the study**

This paper aims to highlight beliefs about what causes intellectual disability in Ghanaian society. The specific research question is: what beliefs do parents, community members and special educators hold about the likely causes of intellectual disability?

**Context of the study**

The data for this paper is obtained from a broader study which examined various stakeholders’ perspectives on inclusive education for children with intellectual disabilities and the implications for social work practice in Ghana. Data was collected in the Greater Accra region, where unit schools for children with intellectual disabilities were present. The unit school is a model of
inclusive education being implemented for children with intellectual disabilities, where a classroom block, situated on the premises of a cluster of regular public schools, is designated for the purpose of teaching children with intellectual disabilities. The idea is that children with and without intellectual disabilities would get to interact during break periods and other school activities, in anticipation that these pupils will develop acceptance and understanding of each other. The unit schools are staffed with trained special education teachers, referred to as ‘resource teachers’ who are primarily responsible for educating the children with intellectual disabilities.

At the time of conducting this study (between October 2012 and April 2013), there were three of such unit schools in the Greater Accra region. The researcher took advantage of the existence of these unit schools to recruit participants for this study: parents, resource teachers and community members. The following vignette seeks to provide some further context:

Kay is a 15-year old boy with an intellectual disability. According to his mother, she had complications while pregnant with Kay, and the delivery was difficult as well. Several days after his birth, he could not cry as expected of a new-born baby and could barely suck breastmilk. She managed to express the milk and feed it to him with a small cup. Being the third child, Kay’s parents could tell that there was a problem, but the health workers did not provide enough information about Kay’s condition. His mother recounts that several medical tests were conducted over time but no concrete conclusions were drawn. However, Kay’s parents were informed that he was going to be much slower at achieving his developmental milestones and would not be likely to benefit from regular school. Out of frustration and limited resources, Kay’s parents stopped sending Kay to the hospital altogether after he turned nine months. They decided to try local herbal interventions and to leave the matter in God’s hands, as their faith taught them.

Meanwhile, extended family members and friends had begun suggesting to Kay’s parents that Kay was not a regular child and that he was a ‘visitor’ from the spirit world. Although she and her husband did not agree, they realised that it was a perception they could do little about. When Kay was about seven years old, his parents enrolled him in a residential school for children with intellectual disabilities, but after about a year, they withdrew him on the grounds that he was not feeding well at the school. Kay did not return to school for five years, as the regular schools were unsure of how to meet his educational needs. It was when his parents heard about the unit school for children with intellectual disability from a new neighbour who worked with the Ghana Education Service (GES) that they decided to send him there. Kay has been attending that school regularly for almost two years now, and his parents are content that they can supervise his feeding this time round. His teachers are trained special educators and he gets to meet other children in the regular classes during the break period. Kay has basic self-care skills (e.g. bathing, dressing up, using the washroom) but academically functions like a
six-year old. He is friendly but does not yet understand the limits he has in other peoples’ spaces.

Methods
The study targeted resource teachers, parents of children with intellectual disabilities, and community members living in proximity to the unit schools. The sampling methods employed were purposive, snowball and convenience sampling. Resource teachers at the unit schools for children with intellectual disabilities were purposively sampled based on the criterion of being the primary educators of the children with intellectual disabilities. Five (5) resource teachers (one male, four females) volunteered to participate. In-depth interviews were used to collect data from the resource teachers.

Parents of children with intellectual disabilities, who were also the primary caregivers of their children, were identified for participation in this study with the help of the resource teachers. Their beliefs about what caused their children’s disability were highly critical to this study to help gain better understanding. Eight parents agreed to participate in the study after the research goals were explained to them. In-depth interviews were used to collect data from the parents.

Community members were also targeted in the research, because they could offer a general overview about intellectual disability without necessarily being acquainted with one (unlike in the case of the resource teachers and the parents). Any member of the community, who either stayed or worked around the school and who was willing and able to take part in the focus group was eligible. Altogether, 18 community members (six from each of the study sites) were involved in Focus Group Discussions (FGDs).

The in-depth interviews lasted between 35 to 60 minutes while each FGD lasted an average of 90 minutes. With permission from participants, the interviews and discussions were audio-recorded. The audio files were transcribed into text, then thematic analysis (Braun and Clarke 2006) was applied to the data to arrive at the findings.

Findings
Profile of participants
All five resource teachers had at least a first degree in special needs education, with their focal area being intellectual disability. They had also been regular classroom teachers for at least three years before moving solely into special education.

With respect to parents, each of the eight parents interviewed in the study came from different families, that is, only one of the two parents of each child.
with intellectual disability was available for the interview. However, this did not pose a problem for the study since all eight parents were primary caregivers of their respective children, and were thus able to provide adequate information during the interviews. There was one father, and seven mothers. The ages of the children of the participating parents ranged from seven to sixteen years, which implied that the least number of years a parent had cared for his or her child with intellectual disability was seven years. The ages of the parents in this study ranged between thirty and sixty years old. Among the eight parents interviewed, six had some formal education, but only one out of those six had gone beyond the secondary level. The only male parent had post-secondary education and was a lift mechanic, while four of the mothers were involved in diverse kinds of trading. The remaining three mothers were unemployed, and depended on remittances from their older children and the benevolence of other relatives and friends. Six parents identified with Christianity, one was a Muslim, and one did not categorically identify with any particular religion.

In each community, six people participated in the FGDs. Across the three focus groups, participants included traders, housewives, a driver, an eatery owner, a senior high school graduate, teachers at a technical and vocational institute, and a retired civil servant. There were fifteen females and three males aged between eighteen and sixty-two years. The ethnic backgrounds of the participants were Akan (Asante and Fante), Ga, Ewe, Ga-Dangme (Ada) and Frafra. The discussions were held in Akan, Ada and English languages.

**Predisposing factors to intellectual disability**

Research participants were asked what they believed to predispose a child to intellectual disability. The question generated a number of similar and varied responses from the different categories of participants. The sub-themes ‘physiological’ causes and ‘spiritual/supernatural’ causes are used to differentiate between the causal factors that participants spoke about.

**Physiological factors**

Research participants identified a number of physiological factors which they believed could lead to intellectual disability. These included: physical strain and/or abuse during pregnancy; attempted abortions; accidents during pregnancy, delivery or childhood; improper medical and personal care during pregnancy; and convulsions in children. Most of the predisposing factors, as expressed by focus group participants are as follows:

> What I have noticed is that these young, young girls of today, some of them get pregnant and try to get rid of it by taking certain drugs. That can also cause the disability. Because I know of a case … the pregnancy was about 5-6 months when the mother tried to abort but was unsuccessful. So she gave birth alright but the child had
been affected by the attempted abortion, according to feedback received from the doctor (DP1, Community member).

Some women too don’t go to the hospital when they are pregnant. They will be at home for a long time till they are about to deliver. So they don’t get any treatment during the period of pregnancy. That also causes problems. For example, delivery will be difficult, and if the birth attendant is unable to help the situation, the child may have a disability or may even die (MP2, Community member).

The problem emanates from convulsion (API, Community member).

Some of the causes are not known (DP2, Community member).

Focus group discussants agreed on most of the factors shared within the groups about the physiological causes of intellectual disability, including the fact that not all the causes are known. This finding reveals that although local community people may not have empirical facts about physical causes of intellectual disability, they have fairly practical ideas of situations that could cause complications in an unborn or young child.

Although convulsion and attempted abortion came up as popular causes of intellectual disability from the perspectives of community members, only one parent, Parent 5, reported that her child had experienced severe and recurrent convulsions shortly after she was born. None of the parents recounted an attempted abortion. In five of the accounts given by the parents (Parents 1, 2, 3, 4 and 8), there were no known complications during the pregnancy and birth process. It was either shortly after their child was born or as the child developed that the parents observed problems with their health or in achieving developmental milestones. In the accounts of the remaining two parents (Parents 6 and 7), they reported complications with regard to delivery of the baby due to a breech position. Some of the parents’ accounts are as follows:

When it was time for me to deliver, there were complications. I was therefore rushed to Korle-Bu [a major teaching hospital in Ghana]. They told me it was breech. Eventually I delivered through a caesarean section and the baby was normal, without defect, but she couldn’t cry. She was put in the incubator for about two days. I took care of her for a while then we went home. I realised that she couldn’t do anything, and she still couldn’t cry, so I decided to send her to the children’s hospital in the area...she was admitted at the hospital for more than one month. When we came home, I realised she could not suck breast milk, but they [the hospital] didn’t tell me anything. So I had to squeeze the breast milk into her mouth... After about six months, she couldn’t sit; she simply couldn’t support herself ... (Parent 7, Mother).

There were no complications with my pregnancy or delivery. He was one year and four months old when he walked... From that time on, he was very active, and he got very hyper after he started to walk. We thought it was a normal thing, that maybe it was characteristic of a child who had started walking and exploring. But the hyperactivity kept on intensifying... Later when we sent him to school, his teacher
made me understand that he will not be able to learn like the rest of his colleagues (Parent 4, mother).

A focus group participant, MP3, insisted that late night eating by pregnant women could cause intellectual disability. Other participants in the same group with MP3 were not convinced about it, but mused about her assertion, as they did not have any counter information. According to MP3:

Some [pregnant women] do not eat at appropriate times. At about 9pm that is when she will eat. After eating too, she won’t sit for the food to digest properly and then she will go to bed (MP3, Madina community member).

The aforementioned comment is the only striking perception about a physiological precursor to intellectual disability that is difficult to substantiate with the existing literature. Nonetheless, it is cited in order to draw attention to the fact that misconceptions about situations that could give rise to intellectual disability do exist. The predisposing factors to intellectual disability, as given by the resource teachers, were in agreement with some of the accounts and experiences enumerated by parents and community members. However, the resource teachers detailed out more factors that could cause intellectual disability. The accounts of Ms. M and Ms. L, summarise some of the potential causes that were identified by the educators and social workers. Ms. L grouped the contributing factors into four categories, while Ms. M cited malaria and convulsions:

a) Pre-natal factors: poor nutrition, the emotional and psychological status of the mother during pregnancy, smoking and drinking of alcohol while pregnant, taking un-prescribed medicine, accidents at home or other place while pregnant, excessive scanning, attempted abortion; … b) Peri-natal factors (during delivery): prolonged delivery, breech position, poor expertise of nurse, doctor or midwife during delivery; c) Sedation: excessive drips given when mother has difficulty delivering; and d) Post-natal … diseases and accidents that occur after the child is born…. (Ms. L, Resource teacher).

There are so many causes. There are times when we ask the mothers about experiences they had during pregnancy, and they would respond that the child was very fine at birth, but as a result of frequent convulsions, the child turned out like this [with intellectual disability]. It [convulsion] is one of the causes. Malaria is another cause (Ms. M, Resource teacher).

Apart from the aforementioned findings, beliefs about spiritual or supernatural causes emanated from the data as well. These findings are presented under the next sub-theme.

Spiritual/Supernatural factors

Among all the community members who participated in the focus group discussions, no participant disputed the assertion that intellectual disability could occur as a result of spiritual factors. Participants however had different
There are supernatural causes... Sometimes the witch or those with supernatural powers can decide to destroy the child when they see that the destiny of the child is good.... Sometimes too, out of hatred or envy for the mother, somebody with supernatural power can cast a spell on the child.... My late brother who comes after me had an intellectual problem, and it was caused by a touch he received on his head when he was a toddler...A certain man, under the pretence of playing with him, rubbed his hands over the boy’s head, not knowing that he was casting a spell on the boy.... By the time our mother returned home my brother’s head had become huge (AP1, Community member).

[In the olden days] the elders said that the child is Nsuoba [child of the water or river] who had come to lodge with you for a while and so if you don’t see him/her off, he/she will trouble you (DP1, Community member).

Some people too like to quarrel a lot when they are pregnant, and because of that, someone may cast a spell on them, so that the child they give birth to would have a disability (MP2, Madina community member).

Some local Akan words used by participants when talking about the supernatural causes of intellectual disability are duabo and asram. ‘Duabo’ can be interpreted to mean ‘curse’ and ‘asram’, according to some community members, is some sort of spiritual occurrence akin to a ‘spell’.

For the majority of them [children with intellectual disability], they are born with the condition ... And what I know is that majority is caused by ‘duabo’ (DP6, Community member).

I don’t know how to put it in the English language but there is something called ‘Asram’ or something like that which affects the child.... It is given to children at night when they are sleeping.... Somebody may be having it spiritually and when in the evening the baby cries, they pass it to him... Even when the child has started walking and someone wants to harm him or her using asram, the person can still do it (DP4, Community member).

On the part of parents of children with intellectual disability, two mothers demonstrated a passionate conviction that their child’s disability was as a result of supernatural forces:

I believe it is a spiritual attack against us because the child’s father helped someone financially, and that person rather turned around to cast a spell to kill him. Since the child did not want to be an orphan, she received the evil spell in place of her father so that her father would live. I see it as a curse. (Parent 1).

A certain old woman came around to visit shortly after my baby was born... before she left, she knocked herself on her forehead, and it was later explained to me that it was a bad omen for the child (Parent 2).

Parent 1 and Parent 2, who shared strong beliefs in supernatural causes had earlier recounted that they did not experience any complications with the
pregnancy or birth of their child, and so they did not consider the possibility of a natural or physiological cause. The majority of the parents (six out of eight) however did not make any direct reference to suspecting a spiritual cause of their child’s disability, although some did mention “praying for a change” in their child’s condition. These six parents also had family members, friends, or neighbours providing spiritual explanations about the disability, and being directed to seek spiritual help. Four parents (Parents 3, 6, 7 and 8) were particularly sceptical about a supernatural cause of their child’s disability.

When I gave birth to her [the child with intellectual disability] and my father came to visit, he told me that I have given birth to a *nsuoba* [child of the water]…the kind of children who are ‘seen off’ after they are born. I retorted that I didn’t beg for a child so I can’t give birth to a [child of the water]. People kept saying the child is a [child of the water] so I have to take her away, and I said “No!” I can’t go and see her off because I didn’t create the pregnancy (Parent 7).

Some said, “she is an animal”, “we have to see her off”. And I responded that when I went to the hospital, I was not told that my child was an animal …. So I was not told to go and throw her away (Parent 8).

Unlike some community members and parents who indicated personal belief in supernatural causation, no resource teacher disclosed a personal belief in spiritual cause(s) of intellectual disability. On their part, there was more focus on the effects that wrong perceptions have on children with intellectual disabilities and their educational inclusion. Nonetheless, resource teachers admitted that beliefs about supernatural causation do exist in Ghanaian society. An example of such acknowledgement is seen in the following excerpt:

The way society receives them, especially if you give birth to a child who has an intellectual disability… superstitions about why the child has an intellectual disability are a lot…. So when they [people] see some of these [conditions], they look at the family with a different eye and they try to even condemn the family and say all sorts of things…. Like maybe the parents have done something wrong and they’ve been cursed by somebody or it is the making of the woman; that when she was pregnant, she did something which affected the child. A lot of things are said in our communities. Some may even say that maybe the child is a god or is a witch or the parents are witches. They say a whole lot of things, as Africans you know (Mr. R, Resource teacher).

One consequence of attributing intellectual disability to supernatural causation, as divulged by research participants, is infanticide. The belief is that the child is escorted or ‘seen off’ to the spiritual world, where he/she is believed to have come from.

The elders say that he/she [the child with intellectual disability] is *nsuoba* [child of the water] who came to lodge with you for a while and so if you don’t see him/her
Beliefs About the Causes of Intellectual Disability, Mills

off, he/she [the child] will become a source of worry to you. (DP1, Community member).

Looking at the history of such children, some people feel the children are devils, and that they place so many impediments on the progress of the society. And for that matter … they don’t want to even see them (Ms. M., Resource teacher).

Research participants however acknowledged that the practice of infanticide is no longer popular in the Ghanaian society. In one focus group discussion, when participants were asked if the practice of infanticide still existed, they responded in a chorus:

[Chorus] No! No! No! No! No! [Cross-talking] DP1: Nowadays those things don’t happen anymore. Even if you give birth to a person with a disability, you will take your thing like that. [DP2] and because there are schools now, you can take the child there (Excerpt from an FGD with some community members).

In a similar vein, one resource teacher explained that:

In the beginning, society felt [people with disabilities] were not good enough to live with. They [children with disabilities] were being eliminated; killed. Then it got to another level where society took the approach of: ‘well, let’s see if they can do something’… (Ms. S, Resource teacher).

Discussion

Participants displayed variable levels of knowledge about factors that may predispose someone of intellectual disability. Overall, the predisposing factors emerging from the data were grouped into two: physiological and supernatural factors. Participants’ beliefs about the causes of intellectual disability reflected what sections of the Ghanaian society believe. Possible physiological or biological factors identified by participants included: convulsions, failed abortions, inadequate or lack of medical or prenatal checks, physical strain and/or abuse during pregnancy; and accidents and illnesses during pregnancy, delivery or childhood. One resource teacher provided a thorough range of predisposing factors when she grouped them into pre-natal, peri-natal, and post-natal factors.

Corroborating these responses with existing literature, some documented physiological or biological causes of intellectual disability include genetic conditions; maternal infections; behavioural issues during pregnancy (such as alcohol and drug intake during pregnancy, attempted abortion); problems at birth (such as premature delivery or low birth weight, the baby not getting enough oxygen during birth or the baby being injured during birth); factors during childhood - for example illnesses like chickenpox, whooping cough, and measles; head injuries or near drowning (Harris 2006; Foreman 2009; Inclusion Ghana 2011; de la Rocha 2011; Oasis Association 2013).
Among all research participants, only one community member mentioned a cause which was neither supported by her counterparts in the focus group, nor corroborated in the literature. In the opinion of this particular community member, pregnant women who eat late at night and do not stay up for the food to digest before sleeping can give birth to children with intellectual disability. Scanning a wide range of literature, including medical literature, eating late at night has not been reported as part of potential precursors to intellectual disability, which implies that this community member’s assertion is unsubstantiated. Although this was just one out of many responses obtained, it brings out the reality that inaccurate perceptions about potential causes of intellectual disability still exist in society, and such perceptions, however minimal, could lead to inappropriate attitudes.

Research participants also mentioned supernatural causes of intellectual disability. Belief in supernatural causation of phenomena such as disability, ill-health, misfortune, et cetera, in Ghanaian society is a well-known fact, and a wide array of studies conducted on disability issues in Ghana consistently report societal beliefs in the supernatural (for example: Botts and Owusu 2013; Botts and Evans 2010; Reynolds 2010; Anthony 2009; Agbenyega, 2003 and 2007; Avoke 2002). This study also records various opinions from research participants that affirm their beliefs about supernatural causes of intellectual disability. One dimension of how intellectual disability comes about supernaturally, according to research participants, is the age-old phenomena of “children of rivers” or “children of water”. According to some research participants, they had learned of traditional societal beliefs that children born with visible deformity, or suspected to have peculiar complications in their early developmental years are believed to be spirits sojourning in the physical world for a short while. Parents of such children were therefore expected to ‘see off’ such children from their homes, lest the spirits would trouble the family.

‘Seeing off’ practically meant taking measures which would lead to the child’s ‘disappearance’ from the community, which was a direct attitudinal response to the belief that the child was a spirit. It suffices to say that people’s beliefs about the causes of intellectual disability, and about any phenomenon for that matter, influences the attitudes that society exhibits toward persons experiencing that particular condition. Participants were quick to emphasise that this was an ancient belief and that with more enlightenment about disability issues, infanticide was no longer practiced in modern Ghanaian society. However, this assurance cannot be upheld as entirely true. Although considered an archaic practice among research participants, in January 2013, infanticide was exposed in some parts of Ghana through the investigative
work of a renowned journalist. Findings from this study suggest that Ghanaian society is not as receptive of such harsh responses to disability as infanticide, as it may have been in times past. The dual perspectives from which the causes of intellectual disability were explained by research participants, that is, both physiological and supernatural, is not peculiar to this study. Other research on disability issues conducted within the African context records similar findings (Botts and Owusu 2013; Reynolds 2010; Njenga 2009).

Belief in supernatural causes of disability, and the associated societal response to persons with disability are reported in many studies from various parts of the world, although the interpretations offered vary from place to place (Huang, Fried and Hsu 2009; Lamichhane 2013; Miles 2002; Sheng 1999). In this study, curses and spells were the dominant examples of supernatural factors which, according to research participants, could lead to intellectual disability. However, the majority of parents in this study (six out of eight) did not accept that their child’s condition was caused by supernatural factors, even though some admitted that they had family members and friends who believed so. Only two out of the eight parents affirmed belief in the fact that the cause of their child’s intellectual disability was supernatural. These two parents resided in a more traditional community compared to the other six, who lived in cosmopolitan communities. The nature of the community that the two parents lived in may account for their strong predisposition to belief in supernatural causation, since rural communities are often characterised by mythical worldviews (Kornbeck 2001). Nonetheless, prevailing, traditional views affect those living in urban areas as well (Lamichhane 2013) due to interactions with family or community members who may have been nurtured to believe in supernatural phenomena.

It is noteworthy that not all beliefs about supernatural causation of disability are necessarily negative. Miles (2002) documents that there are societies in other parts of the world where families with children with disabilities are considered blessed for being chosen by God to be entrusted with caring for a child with disability. Such a worldview would ultimately result in acceptance of the disabled child in society, and attract the needed support for his or her family in nurturing him or her. From this study, the rejection of supernatural causes by the majority of parents could be indicative of a sub-conscious strategy to discourage the stigma associated with having a child with intellectual disability in Ghanaian society. Such an approach, coupled with indiscriminate care for the child, could go a long way to re-orient the

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perceptions of family and community members who may have stigmatised
the parent(s) and/or child in the first place. Moreover, three out of the six
parents who rejected belief in supernatural causation, reported experiences
of pre-, peri-, and post-natal complications with respect to the pregnancy and
birth of their children with intellectual disability. These parents’ natal
experiences could contribute to their reluctance to ascribe a spiritual cause to
their children’s disability. Scior and Furnham (2016) note that people who
show greater awareness about intellectual disability are more likely to
endorse biomedical causes and less likely to endorse supernatural causes.

Conclusion and Implications
This study sought to ascertain the beliefs that resource teachers, parents of
children with intellectual disabilities, and members of selected communities
believed to cause intellectual disability. Participants’ responses fell under two
key themes: natural/physiological factors and spiritual/supernatural factors.
These findings were consistent with findings of studies from other parts of
the world, although the interpretations vary across societies.

The findings of this study have several implications for various stakeholders.
First, not only is intellectual disability stigmatised, but parents (mostly
mothers), who are often the primary caregivers of their children with
intellectual disability, are likely to experience stigmatisation based on the
belief that their child’s disability may be the result of some wrongdoing on
their part. Regardless of the knowledge that there are physiological causes of
intellectual disability, the negative perceptions associated with belief in
supernatural causation in Ghana may create additional stress for parents.
Second, medical practitioners, special educators and social workers need to
provide intensive education to the Ghanaian public about intellectual
disability, in order to reduce the stigma that individuals with the condition
and their families face. Third, future research that is much larger in scope can
be conducted to measure the effects of beliefs about causes of intellectual
disability in Ghanaian society, so that the results can inform policy and
practice interventions. This study has contributed to disability discourse in
Ghana by highlighting physiological and paranormal factors associated with
intellectual disability, which can be considered when planning interventions
for children with intellectual disabilities and their families.
References


Beliefs About the Causes of Intellectual Disability, Mills


Pink – Collar Crime: Women and Crime Committed at Work

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Abstract
The term ‘pink – collar’ was coined during the second wave of feminism (the 1960s – 1980s) by Knappe Howe (1977). She identified unique features of work experienced by women – segregation, underpayment and sexual harassment. During the same period, the feminists’ school of criminology began studying the treatment of women as offenders and victims and how they were punished as both. Women had not been studied by criminologists as a distinct ‘group’ and established criminological theory failed to explain why women commit significantly fewer crimes than men. The feminist theorists studied women’s offending, the victimisation of women, and women in the criminal justice system. This paper will make reference to problems with the definition of crime and white-collar crime, the origins of ‘pink-collar’ as a term associated with women and a discussion about women, colour and protest. It will argue that feminist criminology theory including (Smart, 1979), Daly and Chesney-Lind (1988) could be fully employed in the study of contemporary ‘pink-collar crime’ committed by women solicitors.

Introduction
The author is interested in solicitors in England and Wales as a discrete group of white-collar criminals. Although there is little theory about white-collar crime and/or solicitor crime, there are some established criminological theories around women and white-collar crime from the last century. Few studies have considered the unique position of women as white-collar criminals and none have studied women solicitors and white-collar crime.

Both the literature and the lack of it indicates that the discipline of lawyers is not well researched. Traditional theorists (from Sutherland (1948) to date) have not yet arrived at a satisfactory theory to explain why professionals commit white-collar crime. It has been established in research that white-collar crime is largely committed by employed middle class white men, who are usually well educated and begin their criminal careers between their 30s and 40s (Van Slyke et al 2016). Accordingly, criminologists have therefore largely focused on the study of male white-collar offending.

Some studies have looked at women and white-collar crime. According to Benson (2016) more than 30% of criminals are women, yet only 15% of women criminals are convicted of white-collar offences. There is a discrepancy, it

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seems, both between the general population of criminal women and their white-collar criminal sisters, as well as between the criminal behaviour of men and women, known as the gender gap, and discussed in more detail below.

Treatment of women and crime in academic literature tends to focus on the treatment of women as victims of crime (Robb 2006). There is something ‘different’ about women and white-collar crime, different from how men in similar circumstances behave and seemingly different from the general population of women criminals. It may be that these discrepancies can be explained by how offences are described/recorded, detection rates or the exclusion of women from roles which might give rise to opportunities to commit white-collar crime. A new category of ‘pink-collar’ crime may produce different results.

White-collar crime and its beginnings

Sutherland (1939) first defined white-collar crime. There are well publicised debates about the accuracy of the Sutherland definition of white-collar crime as set out below:

That persons of the upper socio economic class engages in much criminal behaviour; that this criminal behaviour differs from the criminal behaviour of the lower socio-economic class principally in the administrative procedures which are used in dealing with the offenders and that variations in administrative procedures are not significant from the point of view of causation of crime” (Sutherland 1945: 9).

The ‘crime’ was therefore defined by the status of the offender, rather than the offence as it is defined by or in statute. A ‘murderer’, for example, commits the crime of ‘murder’, which is defined in guidance by the Crown Prosecution Service (‘the CPS’) in England and Wales as the unlawful killing of another person with intent\(^3\). Sutherland had an issue with the ‘crimes’ committed by the white-collar criminal, which explains the breadth of his definition. His issue was that not all acts that in his view were clearly ‘injurious’ to other persons were defined as ‘crimes’ and were therefore not subject to legal penalty, as were other injurious behaviours (Sutherland 1944).

It is therefore left unclear, from the Sutherland definition, which behaviours are covered by his definition and how to logically collect crimes under this general banner. Hall (1941) eloquently described the purpose of the criminal law as follows:

\(^3\) Explained further by the CPS with reference both to the common law and statute in its online guidance on violent crime (see later).
[The] ...Criminal law represents the major social effort to eliminate serious conflict, and to do so not arbitrarily, but in accordance with methods and directed toward ends that we are pleased to call ‘rational’ (p 550).

Aubert (1952) also argued that there was theoretical significance about the definition of white-collar offences and whether they were seen as ‘crimes’ at all, both by offenders and society in general. There is debate about whether white collar offences are ‘crimes’ in the true sense or ordinary meaning of the word⁴. Some have suggested that the essential feature of ‘crime’ is the lack of self control (Gottfredson and Hirschi 1990). Foucault (1982) suggests that ‘governmentality’, or the way we are controlled by government through the law is an historic construct (see also Beard (2017) later). One of the essential features of law in England and Wales is that it applies to all citizens equally – including those who make and apply the law, including the rich and powerful. No one is above the law⁵ but does the definition of white-collar crime include everybody equally?

The Sutherland definition, it has been argued, excludes women. Historically, women were prevented from entering higher economic classes by discrimination codified in legislation and confirmed in the common law. For example, in 1914, some women challenged their prohibition from entry into the profession of solicitor (Bebb v Law Society (1914) 1 Ch 286)⁶. They challenged legislation that prohibited women from becoming solicitors just because of their gender. Although women are no longer subject to direct discrimination at work on this scale, Croal (2001) has argued more recently that, ‘the gendered nature of white collar, corporate, economic or business crime has...[been]... rarely been questioned’ (p 69) nor has the impact of the ‘liberation’ of women on crimes committed at work. It would be interesting to discover if contemporary ‘liberated’ women commit white-collar crime like men do. If not, does the definition of white-collar crime need to change to include women?

**Where does the term ‘pink – collar’ come from?**

But what of pink as a colour often associated with women and used as a term to describe women workers as ‘pink-collar’ workers? Why has this colour been ‘chosen’ to describe women and by whom? What does use of this colour say about women and their work? The term blue - collar is thought to refer to protective clothing / overalls worn by manual labourers. Its use was first recorded in America in 1924 (Wickman 2012). The colour blue, has not always been associated with men or the lower orders. The Smithsonian magazine

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⁴ See later for an extended discussion about ‘what is crime’.
⁵ This is known as the Rule of law (England and Wales).
⁶ The Sex Disqualification (Removal) Act 1919 removed statutory discrimination against women entering some professions which would fall into the Sutherland definition of white-collar crime.
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(online) reported results of extensive research by Paoletti (2011), who described the change from gender neutral clothing for children under 6, to gender specific baby colours after WW1.

Interestingly, the allocation of pastels was pink for boys and blue for girls. 1940s America saw the reverse allocation of baby colours, which apparently could have gone either way. The gendering of colours is therefore a recent phenomenon and perhaps not as ‘loaded’ as current thinkers might suggest.

The term ‘pink – collar’ was used by Knappe Howe as the title of her acclaimed book, to describe women workers in America. In her obituary in the New York Times (1984) it refers to her work as follows:

...’Pink Collar Workers,’ which was nominated for a National Book Award, claimed that the majority of American women, despite the women's movement, remain as segregated occupationally as they were at the turn of the century. It argued that women are still trapped in traditional jobs as waitresses and secretaries, in which pay is consistently inferior to men's.

Dodge (2007) states that ‘Traditionally, and not surprisingly, white-collar crimes almost exclusively have been concocted and conducted by men’ (p 379). Because of their position in society and the workforce, women workers lacked the opportunity7 to progress, described variously as the ‘sticky floor’ or ‘pink collar ghettos’.

For the feminist school of criminology, it is self-evident that there is a reason why women are treated less well in society. That is reason is ‘patriarchy’ – the structural subordination and exploitation of women by men. Yet despite being treated less well by society, women generally behave better than men - gender is the strongest predictor of involvement in crime. But women (including the author) during the same period did not avoid controversy in protesting differently for peace, equal treatment under the law, promoting change. Peaceful direct action by women is ‘deviant8’. Women, it seems, cannot be relied upon to remain silent.

Colour protest and power

On 7 January 2018, the Golden Globe awards were dominated by a mass protest. The BBC Online (2018) reported it as follows:

The 75th Golden Globes was the first major awards ceremony since the Hollywood sexual harassment scandals and the night was dominated by stars using their moment in the spotlight to pay tribute to women who had spoken out against sexual

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7 Opportunity theory.
8 Examples include women in the peace movement - Greenham Common Women’s Peace camp (1980s - 2000); women seeking to change the law - ‘stop the clause’ campaign (clause 28), and women campaigning for lesbian visibility - lesbian avengers (1990s).
harassment, call time on the Hollywood status quo or comment on gender pay disparity in the entertainment industry.

Women (and some supporting men) chose to wear black to protest about how women workers in the entertainment industry had been discriminated against – segregated into stereotypical and fewer significant roles, underpaid and subject to sexual harassment / assault. But they did not choose pink to identify the same issues as Knappe Howe did about women at work⁹.

But what is the significance of colour and the choice of colour in the context of mass or group protest? What we wear, how we look, and the choice of colour can be described as ‘communication by conduct’ - solidarity in the unananimity of protest. Black as a colour⁴ of choice has a long history. In Australia wearing a black armband is associated with revisiting the oppression of the indigenous aboriginal people on occasions like ‘Sorry Day’. Black was a colour associated with National Socialists in Europe and in western cultures, a symbol of mourning, respect and sympathy. But this is not true in all cultures. In a study of American college students (Kaya and Epps 2004) and their reactions to colour, found that black was ‘...associated ...[both]... with royalty, power, and wealth, ...[and]... also with death, mourning, and tragic events.’ (p 396) There is some evidence that people ‘...usually associate the colour black with evil, aggression and badness’ (Vrij 1997, Abstract). Vrij’s research found that dressing offenders and suspects in black, influenced perception and anticipation of aggression from those wearing black.

Beard argues that women who do achieve power are forced to or willingly adopt elements of maleness in order to be accepted ‘Women who claim a public voice get treated as freakish androgynous...’ (p 22) referencing Margaret Thatcher’s voice training and other contemporary women politicians (Hilary Clinton) adopting traditional male trouser suits as the acceptable uniform of power. Perhaps the #WhyWeWearBlack protest was also a nod to the acceptability and simplicity of the uniform male ‘black tie’ dress code and the stark contrast with what women are usually expected to wear at red carpet events.

Award ceremonies in the movie industry began in 1928 with the first Academy Awards, complete with red carpet, described as ‘...the film industry’s own catwalk, a place where talent and style vie for attention.’ (Cosgrave 2007). Female beauty pageants or contests were thought to have

⁹ ‘Pink’ is association with a contemporary women’s liberation movement in America, which describes itself as ‘The Pussyhat Project™’. It is a social movement focused on raising awareness about women’s issues and advancing human rights by promoting dialogue and innovation through the arts, education and intellectual discourse.’

¹⁰ Black can be described as the absence of light and therefore in not a colour. See Harkness (2006) for a discussion about how different disciplines ‘view’ colour.
been popularised by Hollywood also dating from the 1920s (Cohen et al 2013). Both female beauty competitions and the red-carpet date back to and are connected with ancient Greece mythology. The former in ‘the Judgement of Paris’ which led to the Trojan war. The latter, rolled out by Clytemnestra in celebration of her warrior husband returning from that same war. Both female beauty competitions and the red-carpets are associated with luxury, winning and celebrity. Both have been described ‘…as a live media event, a mediated ritual and as presenting glamorous stars as objects of identification’ (Haastrup 2008: 127).

The difference between a ‘uniform’ and a ‘costume’ is significant. Just wearing the same colour is not the same as wearing a ‘uniform’. Those wearing black at the Golden Globe awards were from the entertainment industry, where costume is both usual, essential and familiar. What we wear, on screen or not, is about visual appearance and it says something about us. It is a statement.

Uniforms ask to be taken seriously with suggestions of probity and virtue (clergy and nuns...), expertise (...airline pilots), trustworthiness (...Scouts...) ... [yet] frivolity and theatricality attend costumes... (Fussell 2003: 3-4).

Was this taken seriously as a protest or a theatrical ‘puff’ and so intended to mean nothing? The term ‘mere puff’ was famously discussed in the case of Carlill v Carbolic Smoke Ball Company [1892] EWCA Civ 111, in the context of a dispute about the effect of an advertisement as a contract or a mere invitation to treat12. One of the criticisms of the Golden Globe protest was that it was just silent. The evidence of protest was just wearing clothes of the same colour. The first woman to accuse Harvey Weinstein of sexual assault tweeted, after the protest, that silence by women had been the problem all along, and repeated that silence in protest was ironic.

The black gowns worn by the women were said to be fabulously flamboyant, sexually provocative and created the same or a similar spin around the wearer, her figure, traditional expectations of female beauty and norms of feminine formal attire. In short, it was the usual display of flesh, but in silent monochrome. Beard argued that western culture has, over thousands of years, denied women access to power and claimed from women their public and private voice. Silence is what women do, even in protest. Even in black.

What women wear is, according to Woodward (2007), about how it makes them feel as women. How women look, he argued, is part of construction of female identity, through appearance. What is culturally acceptable, current

11 See http://www.bailii.org/ew/cases/EWCA/Civ/1892/1.html
12 A willingness to negotiate, not an intention to be legally bound.
and elegant also conform to media constructs of what ‘real’ women wear and what ‘real’ women look like (Wykes and Gunter 2004). Beard, for example, an older woman, was castigated by AA Gill (O’Reilly 2012) as being too ugly for television and experienced a very public ‘trimming’ of her appearance on the American version of ‘Civilisation’ (Cavell 2018). Beard explained her treatment as simply more of the same – the silencing of the unacceptable women and in this case, her replacement by a well known (and conventionally) attractive male voice over.13

Wolf (1990) explored the relationship between contemporary ‘post liberation’ women and female beauty.

The beauty myth, as it became known, described by Wolf as a weapon by which women’s advancement was curtailed, by women themselves, by conformity of and in behaviour, outward appearance and expectations of success. Fredan (1963) struck a cord, when she revealed the modern American housewife as dissatisfied, yearning for something more and questioning ‘is this it?’ Fredan named the problem ‘the Feminine Mystique’ or the false idea that femininity equalled domesticity, as unpaid workers - home makers, mothers and wives. Fredan suggested that there should be new and different expectations for women, who could be so much more.

The second wave of feminism, which began in the 1960s, witnessed more radical agendas for change. For example, the ultra radical ‘Redstockings’ in America published the ‘Bitch Manifesto’ (Freedman 2000) in which they identified the effects of invisibility of women and the risks of not conforming:

Our society has defined humanity as male, and female as something other than male. In this way, females could be human only by living vicariously thru a male... This is the root of her own oppression as a woman. Bitches are not only oppressed as women, they are oppressed for not being like women... They must recognize that women are often less tolerant of other women than are men because they have been taught to view all women as their enemies.

The 1960s, it seems, was not dissimilar in reality to the position of women in England and Wales in 1914 (see also Bebb v The Law Society, earlier).

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13 Liev Schreiber.
What is crime?

The wider question, ‘what is law’ has been persistently asked by scholars of many disciplines. Hart (1997) notes that far less has been written about, for example ‘what is chemistry’ than ‘what is law’. Ordinary people (non-lawyers) are able to quote examples of law, are aware of the operation of similar legal systems internationally and have some understanding of how laws pervade (consumer law, family law, property law, road traffic offences and so on). Hart asks, if citizens have such a high level of ‘common knowledge’ about ‘law’, why the interest in what it is? We know what it is.

The distinction between the criminal law and civil law is that for a crime to be committed the action of the participant must be illegal (prohibited by law) rather than a civil wrong (which is not authorised or permitted). Crime is clearly that which is prohibited by the criminal law. The criminal law in England and Wales identifies behaviours by people which are prosecuted and punishable by the state. In the criminal courts the names of cases begin with the letter ‘R’, which names the head of state the King (Rex) or Queen (Regina) as the party bringing the prosecution. It is the State that prosecutes and punishes the criminal, not the victim of the crime.

Criminal statute defines the prohibited behaviour or outcome of behaviour (the actus reus) and may also require intention, recklessness or knowledge (the mens rea) as an additional element of a crime. Homicide, for example, in English law includes both murder (intentional killing another person) and manslaughter (unintentionally causing the death of another). Some offences only require the prohibited act to have occurred for liability to be established. These are called strict liability offences. An example of strict liability (although not necessarily a criminal offence) is where professional or occupational regulations are broken. For example, the rules of professional conduct prescribed by the Solicitors Regulatory Authority for the regulation of solicitors’ and others providing legal services in England and Wales. It has been argued that breaking the criminal law or a prescribed professional rule with intent is not that dissimilar, it is only the range of punishments which differ. But this is not the case. The State cannot punish the professional by, for example, the removal from the roll of those permitted to practice. This is reserved for the professional body (by statute) and decisions of that body are subject to appeal through the courts.14 Its decisions must be made in accordance with the legislation which empowered it, the rules of ‘natural justice’ and the Human Rights Act 1998. Equally, a professional body cannot take away the liberty of the transgressor. This right is reserved to the State.

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14 For example, the discipline of solicitors by the SRA is permitted and regulated by the Solicitors Act 1974, the Administration of Justice Act 1985 and the Legal Services Act 2007.
by passing of laws and subject to review by its courts. The criminal law and regulation operate differently, but they connect in the context of white-collar crime, leading, in the case of solicitors in England and Wales, to punishment in both systems following conviction of a criminal offence.

The criminal law prohibits some behaviours of some people. Not all behaviours which might have been disapproved in the past and criminalised are now ‘crimes’ e.g.: adultery. Not all persons who carry out prohibited acts have always been liable to criminal prosecution. For example, until recently, rape within marriage (marriage of men and women) was not a crime because the husband was granted ‘marital immunity’. Rape (by a man against a woman) outside of marriage was a crime. The Law Commission explained the context in which it was asked to review the law around rape in 1992.

...the status of women, and particularly of married women, has changed out of all recognition in various ways which are very familiar and upon which it is unnecessary to go into detail. Apart from property matters and the availability of matrimonial remedies, one of the most important changes is that marriage is in modern times regarded as a partnership of equals, and no longer one in which the wife must be the subservient chattel of the husband.

Statute, just like the position of women in society, has changed over time. The Representation of the People Act 1918, for example, not a criminal statute, changed the law and permitted some women to vote (clause 4). Statute, it can be argued, is a barometer by which the improving position of women in society can be tracked. It is also how equal treatment could and should be enforced, by the rule of law.

The background to the question ‘what is law’ lies not in the question itself, but what the questioner hope to discover. That is, why are some types of human behaviour no longer optional and compliance backed up by threat? We understand more about society and how it treats its people by studying ‘what is the law’ and considering ‘why is law’ as it is. The study of the theory or the philosophy of law is known as jurisprudence - the examination of what is crime, why some actions are crimes and others are not. In relation to white collar crime, the same question has yet to be answered - ‘what is it?’

**Defining crime committed at work**

Traditionally within criminology, white-collar crime has described work related crimes, committed by persons of a high status (see Sutherland, above). Those persons committing those crimes, being referred to as white-collar

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15 Habeas corpus – an order of the court (by writ) to produce a prisoner and those holding them to justify that detention.

offenders. But is it any or all work-related crime that can objectively be considered white-collar crime by a ‘reasonable man'?  

The Sutherland definition is based unusually on the status of the offender rather than the crime committed. A murderer commits murder – the crime defines the offender. A rapist commits rape – the criminal offence provides the title allocated to the offender. A fraudster is convicted of an offence involving deception for gain. Clearly crimes are those defined as such by statute, but should white-collar crimes include only those defined as ‘crimes’ in this way or should it include other prohibited non-criminal acts too?

White collar crime, Sutherland suggested, should include a collection of behaviours, both criminal and administrative violations, which share these common features – prohibited acts, committed with intention and subject to sanction for breach. Bloch and Geis (1970) sought to establish a more scientific approach by creating units of analysis in order to identify which crimes should be defined as white-collar crimes and those which were not. Newman (1958) suggested that the definition of white-collar crime was so wide as to include any crimes committed while at work.

Not all theorists agree that white collar crime is different from other crime. General criminological theory has identified criminals (including white-collar criminals) as people who display anti-social conduct and do not conform to society's norms. Their behaviour can be explained by two causal principles (Gottfredson and Hirschi 1990). This theory predicts that white-collar criminals are both criminally versatile (experienced) and as deviant as street criminals. It rejects ‘motive’ as a causational factor and the label ‘white-collar crime’ to distinguish these offenders from, for example: street criminals:

...The assumption that white collar criminals differ from other criminals is simply the assumption... They too are people of low self-control...people inclined to follow momentary impulse without consideration of the long-term cost... (p190).

Criminologists, amongst other scholars, have sought to grapple with different types of white-collar crime in order to better define types of white-collar crime. White-collar crime, this author suggests, can be divided into two categories of crime committed at work as follows:

Crime committed to benefit:

(a) the employer, from which participants may achieve personal gain, or avoid personal loss; and,

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17 Blyth v Birmingham Waterworks Co (1856) 11 Exch 781.
18 Opportunity and lack of personal control.
19 A general theory of crime.
(b) oneself, to achieve personal gain, or avoid personal loss.

Type (a) white-collar crime might be described as ‘corporate crime’ An example of this type of crime would include securities fraud. Type (b) white collar crime might be described as ‘self-interest occupation crime’. Examples of this type of crime, in the context of this study of members of the legal profession, would include mortgage fraud, inflated fee fraud or theft from client accounts. The essential common elements with type (a) and (b) white-collar crime are that these crimes are committed by people at or during their employment for gain. They could not be committed without being at work. The essential difference with ‘street crime’, which may also involve ‘taking property from another’ is location.

Edelhertz (1970) amended his definition of white-collar crime to refer to the prohibited act, or series of acts, as being non-physical, as distinct from crimes against a person which are of course ‘physical’ acts (eg: murder or rape). Further, he suggested the aim (or intention) in white-collar crime was simply to gain some advantage or avoid loss. There was no need, he felt, to quantify the gain or loss avoided. He avoided the reference to the status of the person and also removed the link with work or employment.

The gender gap

Women are different from men when it comes to crime because they are also treated differently in society. These gender differences and the relationship between economics, inequality and crime have been examined by criminologists over time. It has been generally accepted that women commit less crime than men. This difference has been described by Steffensmeier and Allan (1996) as the ‘gender gap’. It is this difference, the gender difference, that has focused the debate about women and why they don’t commit as much crime as men do. This deductive or positivist approach to research, the analysis of ‘fact’ and application of objective determinism, perhaps even a ‘malestream’ methodology has been criticised by Oakley (1974) and other feminists. It is known as the ‘paradigm argument’. Löschper (2000) argued that:

‘Crime’ is constructed and negotiated in social discourses and processes of social interaction in and with institutions of social control. Therefore, only qualitative inquiries of ‘crime’ make sense’ (abstract).

It is from this biased perspective that women and crime have been studied. DuBois (1983) identifies the effect as follows:

... the ‘person’ has been considered to be male, and the female, the woman, has been defined in terms, not of what she is, but of what she is not ... The androcentric perspective in social science has rendered women not only unknown, but virtually unknowable (p107).
It is interesting to note that this quote is not dissimilar to the section of ‘The Bitch Manifesto’ referred to above. Has nothing changed over time? The eminent classicist, Mary Beard, argued that the process of silencing women, making their stories and lives unknowable, has not changed from even further back in history. She refers to mythological tales as proof of the origins of this practice ‘... classical culture...[she argues]... is partly responsible for our starkly gendered assumptions about public speech...’ (p41). Beard also discusses social media trolls, these contemporary messengers who besiege women who ‘speak out’ and ‘refuse to be silenced’ who use old and familiar methods to control ‘...public utterances and to silence the female of the species’ (p4). As a recent high-profile victim of trolling, she should know.

In order to explore white-collar crimes committed by women, the qualitative method is seen as most appropriate or valid method of inquiry, to explain why women commit white collar crimes rather than why they commit fewer crimes than men. For example, Elliott (1952) suggested that women’s sex role formation and socioeconomic factors might explain low crime rates among women. Ahuja (1969) supported a theory of ‘family maladjustment’ or ‘role conflict within the family’ as causes of female crime in India.

However, Klein (1973) summarised historical qualitative thinking around women and crime (by Lombroso, W.I. Thomas, Davis, and Pollak and others) as less than helpful. It focused simply on biological differences between men and women, perceived psychological characteristics (read weaknesses) of women combined with familiar assertions of the benefits norm. We can recognise these well publicised arguments, which are raised to justify different treatment of women in society. For example, biological or physical differences are still used as justification for gender discrimination in jobs that involve physical work. These ideas are well explained by Pollock (1950).

Criminal statistics which support the view of the lack of criminality in women are the least reliable of all statistics. For crimes to be reliably reported they must have three criteria, which women's crimes lack: (1) be highly injurious to society, (2) be of public nature, (3) have the co-operation of the victim with the law. Woman's crimes tend to be more specific than man's. Her victim is often her child, husband, lover, or family member. Her criminality starts later, comes to a peak later, and lasts longer than man's. The double standard, modern sales techniques, and social frustrations due to women's position in society contribute to her criminality (Abstract).

**Concluding thoughts about pink – collar crime?**

The value in studying white-collar criminals as a ‘criminal group’ is that they do not behave as other criminals do, as discussed above. Within both studies of white-collar criminals and criminal proceedings against those accused of
white-collar crimes, there is less focus on proving who has committed the crime and more emphasis on why they committed it. There is usually no issue as to whether the act has been committed, be it the hand in the till or the extensive paper trail, res ipsa loquitor²⁰. But it is necessary in criminal proceedings for white-collar offences such as fraud to establish both proof of the act and the ‘guilty mind’ of the accused to secure conviction. It is interesting that lack of guilt and unwillingness to acknowledge the criminality (as opposed to illegality) of the transgression by the white-collar criminal is often quoted as an accepted difference between this type of criminal and those committing ‘street crime²¹’. But where is there any credible theory to explain why people commit white-collar crime?

There are some existing theories that attempt to explain women and white-collar crime. Adler (1975) identified liberation theory, a gender specific theory around women offending. It suggested that greater opportunities for women at work would lead to increasing participation in white-collar crime. Adler predicted that changing gender roles for women would lead to more masculine behaviour and a reduction in the gender gap generally. Simon (1975) also anticipated changing opportunities at work would lead to more women committing white-collar crime. There is also some established theory around how women are treated by and in the criminal justice system. ‘Chivalry theory’ suggests that women are treated more favourably than men, because men ‘naturally’ want to look after or protect women. ‘Double deviance’ theory in contrast, states that women are punished more harshly – once for the crime and the second time for departing from the standards women are expected to set, or perhaps departure from the normative women. These theories are based on observations of different treatment of women by men and surprisingly both describe contrasting outcomes for women within the same system.

The Corston Report (2007) looked into how women in prisons were treated and found that where women experienced a combination of vulnerabilities (domestic, personal and socio-economic), it was likely that a crisis point would lead them to crime and then to prison. Criminality was, for a lot of inmates, a reaction to crisis. This report concluded that ‘Women commit a different range of offences from men. They commit more acquisitive crime and have a lower involvement in serious violence, criminal damage and professional crime…’ (p6). Gottschalk (2012) found in his statistical analysis that in Norway, women made up only 4% of those convicted of white-collar crime. But is this the case in England and Wales?

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²⁰ Latin for ‘the thing speaks for itself’.
²¹ Crime that takes place in public e.g.: theft from a person, assault etc.
Some recent crime data – England and Wales
As part of anti-discrimination legislation, the government is required to publish data about the criminal justice system and those who are involved with it both as victims and offenders. Section 95 of The Criminal Justice Act 1991 states that:

The Secretary of State shall in each year publish such information as he considers expedient for the purpose...of facilitating the performance of those engaged in the administration of justice to avoid discriminating against any persons on the ground of race or sex or any other improper ground...

Data has been published since 1992, with the most recent statistics being reported in 2015 (the women and the criminal justice system statistics ['the 2015 report']). According to the 2015 report, the number of prosecutions of women over the previous decade increased by 6%, due to an increase in prosecutions for TV licence evasion. In the same period prosecutions of men fell by a third. For the 10 years prior to the 2015 report, the trend had been for ‘formal treatment’ of offenders (by court proceedings) to fall, and it was falling much quicker for women. It also found that women were more likely than men to be prosecuted for fraud and theft and much more likely to be prosecuted by a private body (e.g. a local authority) rather than the State. The main serious offences committed by women were thefts.

In the 2015 report, it found that women convicted of the more serious offences were more likely than men to avoid prison, with most women pleading mitigating factors such as mental illness or sole family responsibilities following conviction (see the Corston Report above). Most crimes committed by women were less serious and so were dealt with in the magistrates’ courts.

The table below shows the estimated proportion of each gender based on the population estimates from the 2011 Census, and the gender breakdown of different points of the criminal justice process in 2013.

| Overview of Women and the Criminal Justice System: Proportion of individuals in the CJS by gender compared to general population |
|---|---|
| Total Population aged 10 and over Mid-2013 | Female | 51% | Male | 49% |
| Arrests 2012/13 | 15% | 85% |
| Prison population 30 June 2014 | 5% | 95% |

(Statistics on Women and the Criminal Justice System 2013, ‘The 2013 Report’)

The gender gap clearly exists in this crime data. But how do we discover whether women commit less white-collar crime than men? Does white-collar
crime follow the ‘gender gap’? Both the 2013 and 2015 reports include NO reference to white-collar crime, making more detailed analysis of these questions impossible, so where next?

Pollock (1950) observed that:

The criminality of women is a neglected field of research...The lack of scientific attention to the problems presented by women offenders is probably due to the ever recurrent observation that considerably smaller numbers of women come into contact with the law-enforcing agencies than do men...female criminality deserves more research interest than it has received, no matter how small its numerical importance may appear on the basis of criminal statistics taken at their face value (p73).

Lewis (2002) reported women white-collar criminals had fewer earlier convictions than male white-collar criminals, suggesting both genders have criminal careers before getting caught and are anti-social to a lesser extent perhaps than general criminals. Schwartz and Steffensmeier (2008) argued that female inequality and related economic vulnerability, rather than equality between the sexes, shapes female offending patterns. There are gender differences in terms of how opportunities are considered and acted upon, or not, which may explain why women do not commit crime generally and therefore commit proportionately less white-collar crime.

The elements of the white-collar criminal, as identified by Sutherland, are also true of women criminals. Women are treated and punished differently, rarely studied, and form a distinct group that does not follow the established theories around crime and criminality. The definitions triangulate. Using the term ‘pink-collar crime’ combines a crime-centred and person-centred typology. Constructed typologies have long been ‘created’ by theorists within criminology (as detailed above) to facilitate causal analysis – to explain why.

This study began as an earlier investigation into crimes committed by a sample of solicitors in England and Wales. Detailed analysis of its published decisions (of the SDT tribunal hearings) produced by the professional body who discipline solicitors (the SDT22) revealed, among other findings, that very few women solicitors were struck off the roll for committing a crime. This together with the lack of credible theory to define or explain white-collar crime led the author to research women and white-collar crime. It led the author back to the feminist school and some theory around white-collar crime and some about women (discussed above).

The next study, a revival of the feminist school, as part of the fourth wave of feminism, will explore the scale of pink-collar crime amongst solicitors,

22 Solicitors Disciplinary Tribunal. All solicitors who are convicted of a crime are referred to their professional body for disciplinary action. The usual sanction is to be struck off the roll.
(whether it has increased as predicted), and if women solicitors are treated
differently from men in the criminal and professional regulatory system.
‘Like Broadway, the novel, and God, feminism has been declared dead many
times’ (Pollitt 1994) long may she live.
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BOOK REVIEW


Boko Haram has been declared the deadliest terrorist group in 2014. Its violence first began in Nigeria, but has also spread to the Lake Chad Basin region. This book is the first to shed light on the full story of this jihadist group, from its beginnings in the early 2000s to its widespread violence, including the kidnappings of approximately 300 girls from a school in Chibok. In Boko Haram: The History of an African Jihadist Movement, the author Alexander Thurston, an African studies professor at Georgetown University, systematically examines the movement’s origins and offers a comprehensive discussion of the interrelated factors that led to the emergence and rise of Boko Haram in north-eastern Nigeria and the Lake Chad Basin. The book is organised into five chapters (‘The Lifeworld of Muhammad Yusuf’, ‘Preaching Exclusivism, Playing Politics’, ‘Chaos is Worse Than Killing’, ‘Total War in Northeastern Nigeria’, and ‘Same War, New Actors’).

Drawing upon years of research on jihadi videos, audio recordings, press reports and interviews with experts in Nigeria and Lake Chad Basin countries, Thurston unravels Boko Haram’s development by showing the complex religious and political environment of the region. The author moves away from the more generalised explanations pertaining to the emergence of Boko Haram, such as economic deprivation, unemployment, corruption and poor governance. Instead, he provides further nuanced and in-depth insight by pointing to the context in which Boko Haram emerged. His central argument is that the emergence of Boko Haram is associated with doctrine and events. Thurston contributes to the field of terrorism studies by offering a more detailed picture of how religious and political environment feed into the existence of this radical group.

Thurston takes an insightful look into life in northern Nigeria in the 1970s and 1980s, where religious fragmentation had dominated. When Yusuf, the founder of Boko Haram, and Shekau, the future leader of Boko Haram, were growing up, they witnessed the failure of the Nigerian political system to prevent violence, enforce accountability, and improve the lives of Nigerians. Not only did this failure shape Yusuf’s and Shekau’s perceptions of the government, but many Muslim families have also mistrusted Western-style schools and Western-educated politicians. Thurston describes how Western-style education is associated with colonisation and it is a widely held perception that this education system attempts to destroy Nigerian traditions. At the heart of this discussion, religious and political violence have been a feature of everyday life in Northern Nigeria. Thurston’s detailed biography
of Mohammad Yusuf helps us comprehend how Yusuf influenced the poor and the corrupt politicians to join his cause. In doing so, Boko Haram emerged not only as the most radical movement of protest against political rulers, but also as the movement of opposition against all forms of ‘Western ways of life”.

Yusuf described himself as a follower of a brand of Salafi Islam in the city of Maiduguri, which is a centre for Salafi groups and for ultra-conservative Sunni Muslims. He, however, ran counter to the mainstream Salafists in order to live in a proper Islamic state in which Islamic law (Sharia) is implemented, because he portrayed himself as “a true Muslim”. He has urged other Muslims to follow the true path to Islam if they are true believers. As a researcher with an Islamic religious background, Thurston sheds light on the ways in which Boko Haram’s theology has evolved over time, and shows how Boko Haram distinguished itself from mainstream Salafis after the 2009 uprising. Yusuf believed that Salafists are government scholars, and that he and his followers could no longer trust them (p.99). This is because Salafis support a Western-style education and Nigeria’s political system. The way in which Yusuf preached also formed his followers’ understanding of Islam and their attitudes towards Salafis and other Muslims. Even though his preaching and sermons were not violent at first, the uprising of July 2009 was a watershed moment with regards to Boko Haram’s rhetoric, because Yusuf was assassinated while being held in captivity by Nigerian police, and the group was suppressed by the Nigerian security forces. Following the 2009 uprising, the re-emergence of Boko Haram is something that the Nigerian authorities did not expect. It is critical to know that even though Yusuf and his successor, Shekau, have not garnered popular support in north-eastern Nigeria, they managed to revive the spirit of jihad among Nigerian Muslims. After the death of Yusuf, Boko Haram, under the leadership of Abubakar Shekau, re-emerged with more sophisticated attacks including attacks on religious institutions, security institutions, government agencies and educational institution. The group also attempts to forge links with transnational groups, including renewing its former ties to al-Qaida and declaring its allegiance to ISIS in 2015. After forming this allegiance, it also changed its name to ‘Islamic State West Africa Province’ (ISWAP); however, as the author suggests, the connection to ISIS remains largely rhetorical, and their cooperation seemed weak as of spring 2016 (p.274).

Thurston also discusses the regionalisation of the crisis, which has spread to neighbouring countries such as Niger, Chad and Cameroon; places where jihadists launched several hundred armed attacks in 2016 alone. In that sense, Nigeria is not the only place in which Boko Haram carries out its attacks. As the Nigerian security forces became more violent in their attempts to contain the group, Boko Haram intensified its attacks even further.
The book ends with recommendations by the author on how to defeat Boko Haram in the years to come. Thurston believes that until politics is brought back to the fore, the efforts to defeat Boko Haram are likely to fail. He advocates political solutions to prevent the development of militant movements of the group. Nonetheless, one of the weaknesses of this book is that it does not take the importance of religious perspectives into account. It is understandable that politics has played an important role in the development of Boko Haram, but Boko Haram’s interpretation of Islam is also crucial for the growth of the group and for the distribution of its cause. Another weakness is that the author sets aside Boko Haram’s treatment of women due to a lack of space. It is crucial to bear in mind that while the global media gave so much attention to the kidnapped women and children, limited interest is shown in the women who have engaged in Boko Haram willingly, due to conventional gender stereotypes.

Overall, however, the key convincing element of Thurston’s work is its careful attention to the interplay among Nigerian political events, Boko Haram’s strategy, the group’s leaders, politicians’ and religious leaders’ personal networks. In this book, as the author suggests, one can find the answers to the questions about ‘when’ and ‘where’ this jihadist group developed, and ‘why’ the group remains a force to be reckoned with, despite a massive military operation. As such, Boko Haram: The History of an African Jihadist Movement is essential reading for those with a specific interest in the group, Nigerian political history and the West African region, and it reflects the author’s familiarity with Nigeria.

Busra Nisa Sarac, University of Portsmouth, UK

This edited volume attempting to reassess order and disorder in the Middle East is a fair and comprehensive take on the nature of evolving politics in the region. The basic premise of the book seems to be figuring out the establishment of political order across the region and the processes and variables that have contributed towards the disordering we have seen over time. This work is particularly useful as it situates ordering and disordering within the region vis-à-vis critical historical junctures. Some of the studies on different countries fall rather short in explaining the nature of the existing order and subsequent disordering, but the holistic picture that the book develops in terms of explaining the key regional and global variables at play is beneficial for those interested in the region.

The structure of this book is helpful, as from the beginning, the author attempts to provide the reader with context in regard to the politics of the region, along with providing an overview of historical developments. Particularly interesting is the brief debate on the theoretical paradigms that are helpful in pitching up explanatory models for regional politics and the ensuing trends. The author has argued for the need to adopt theoretical multiplicity encompassing distinct theoretical traditions, such as foreign policy analysis, neorealism and social constructivism, while also dealing with the foreign policy making and international relations of Middle Eastern states. It would have been interesting if, in addition to these established theoretical domains, some discussion had been included on the utility of neoclassical realism in the Middle Eastern context, since it takes into account the influence of both systemic and internal variables while charting foreign policy trends. The chapter detailing the contradicting approaches of the Bush and Obama administrations towards the region is useful as an historical account of political happenings including minor details while also explaining the ideological outlooks of the administrations and their impact upon policy making.

In terms of addressing the politicisation of sectarianism in the Middle East, the second chapter is a valuable addition to the whole. The authors try to conceptualise the phenomenon while also bringing together the concepts of translocality, which the authors suggest is a more grounded form of transnational politics, and geo-sectarianism, which essentially views processes of sectarianisation in a geo-political context. In this manner, the authors have attempted to produce a more nuanced explanation for sectarian conflict that has transcended national and regional boundaries. They use case studies of Saudi Arabia and Iran in addition to ISIS, therefore one point of
contention is on how this model incorporates the essentially political motives of ruling elites on both sides that drives sectarianism across the region, and what should we expect once this balance of power changes.

The chapters on Saudi Arabia and Iran give the reader some good insights into their respective foreign policies and how they have been countering each other within the broader Middle East. The chapter on Saudi Arabia is a good resource, especially with relation to Saudi activities in Bahrain, Yemen and Syria and how the policy line regarding these countries has progressed. Still the notion that the threat of ISIS could have contributed towards a Saudi-Iran engagement even during the time of King Abdullah seemed a bit far-fetched. In the Iranian case, the internal political dynamics of the regime and the objectives of President Rouhani have been outlined clearly. However, the argument that sectarian tensions within the region endanger Iran does not make much of sense, as utilising sectarianism and political and militant proxies has remained Iran’s mainstay. Both the American invasion of Iraq and the Arab Spring have exacerbated this strategy, which has paid geopolitical dividends for Iran. The description of Iranian-US engagement in terms of a multi-phase complex process with ups and downs but essentially rooted in structural enmity was the highlight of the chapter, yet the portions dealing with Iranian ties with the GCC and the outlook for Iraq were less convincing.

The chapters on the two proponents of political Islam, Turkey and Qatar, provides considerable insight into the ideological and systemic factors driving the foreign policies of both states. In the Qatari case, the birth of modern Qatar and its unique political identity built up on the benefits of political mediation has been well documented. There are fascinating details about the personalisation of policy making during the time of Emir Hamad Bin Khalifa Althani, and the characterisation of the former Qatari prime minister Sheikh Hamad Bin Jasim. Moreover, the chapter explains how the lines between the state’s wealth, private interests and foreign policy initiatives has become increasingly blurred over time. The chapter on Turkey summarises the changing contours of Turkish foreign policy and its regional outlook while also framing its competition with other regional powers, specifically Saudi Arabia and United Arab Emirates, in the wake of the Arab Spring. The author argues that the Syrian conflict provided both the European Union and Turkey with an opportunity to engage with each other while also mentioning the vitality of the Kurdish issue for Turkey. The author seems justified in his claim especially after recent developments of an independent Kurdish statelet alongside the southern Turkish border, which Turkey considers a grave security threat. This threat will drive Turkey’s policymaking.
The chapter on Israel is compelling as it explains the element of securitisation in Israeli foreign policy and how Israel has managed to portray its occupation of the Palestinian territories as a security requisite. The author provides a detailed and knowledgeable comparative analysis of the historical policymaking and strategies developed during the Sharon and Netanyahu governments. The chapter on Egypt explains Egyptian ties with Iran, its nuclear policy and water issues, yet the lacks any discussion on Egyptian foreign policy under the Morsi government and its engagement with regional actors, which is a considerable omission.

As an academic endeavour, this book falls among the scholarship produced after the Arab Spring to debate the reordering of the region. While it does go deep into the political dynamics of important regional players and explains their balancing acts both against external and internal actors, the reader is unable to decipher whether the region is still in a state of disorder, or whether the signs of a new order are there on the horizon.

_Umer Karim, University of Birmingham, UK_
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