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## Editorial

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**WOMEN AND IMPRISONMENT**

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Research from many countries has documented the experiences of imprisoned women, who are always a minority within criminal justice and penal systems created and dominated by men. This increasingly substantial research literature has identified the challenges and difficulties faced by women prisoners, many of whom are separated from their children, and has documented the manifold difficulties experienced by women on release and afterwards (Fair, 2009; O'Brien, 2001). Some of these studies have documented not only women's difficulties in the prison environment but also their strategies of coping and resistance, many researchers adopting qualitative methodologies which prioritise women prisoners' own voices (Bosworth, 1999; George, 2009; Quinlan, 2010; Lawston & Lucas, 2011). A number of important edited collections such as those by Cook and Davies (1999) and Sudbury (2005), have encouraged perspectives on women's imprisonment which consider the issues not only through an international lens but also, as seen work by writers including Mechthild Nagel (2008) and Julia Sudbury (2005), endeavour to interweave questions of global trends in the incarceration of women with global capitalism. Traditional jurisdictional boundaries still tend, however, to dominate the research, even though people migrate and some crimes are transnational in their scope and method, as criminal justice systems, with a few exceptions, are delineated according to jurisdictional boundaries (Aas, 2007). There are, however, important international questions to be explored such as the needs of women prisoners, prisoners' children, provision for mothers and babies, and problems of family contact. Although much of the recent literature on prisoners and their families has focused on single jurisdictions, the impacts of imprisonment on families and communities go beyond narrow jurisdictional boundaries. As a contribution to the debate, this collection of articles includes contributions focusing on Argentina, South Africa, Senegal and the Republic of Ireland. It is immediately striking that these articles represent an important development in the

research, moving the focus beyond the industrialised Anglophone countries from which most previous research has emerged.

In their article, “My Mom is Badder than Yours” Meg Escude and Victoria Law examine the treatment of mothers and children incarcerated in Argentina, as well as their actions in demanding that their needs as mothers be recognised and met. This focus on activism and resistance is important, as it demonstrates that, despite the manifold difficulties faced by imprisoned mothers, they are not passive recipients of the penal regimes in which they live. Rather, they seek to maintain and live out their identities as mothers in the prison setting, echoing the work of Megan Comfort on the efforts women make to maintain domestic rituals and family life when visiting imprisoned men. This article offers an insight not only into women’s imprisonment in Argentina, but also into women’s strength and activism.

Shifting the focus from South America to Africa, Dior Konate provides a thoughtful and thorough analysis of women’s imprisonment in Senegal. Beginning with providing an overview of the historical background of women’s imprisonment in post-colonial Senegal, she then goes on to highlight the impact of the incarceration of female offenders on their families, and assess how family relationships are re-created, re-defined and renegotiated in the prison setting. The article draws on interviews with two different groups of imprisoned women, one set of interviews taking place in 1996 and the other in 2003. This allows the author to point out that the more recent sample included a higher proportion of women convicted of so-called “white collar” crimes, which can be linked to higher levels of educational achievement. Many aspects of the experiences of women prisoners in Senegal echo those of imprisoned women around the world (cf. Vetten (2008)). Relationships, marriages and children suffer. Dior Konate’s distinctive contribution to the debate is to contextualise the experiences of Senegalese women prisoners against a backdrop of colonialism and former slavery. Dior Konate also reiterates the shame and stigma felt by imprisoned Senegalese women, identifying that their ‘double deviance’ (i.e. offending both against the law and also against stereotypes of ‘appropriate femininity’) operates to diminish women’s own self-identities as women and mothers.

Dior Konate’s work is followed by an examination of women, families and imprisonment in South Africa. Luyt and Du Preez begin, as does Dior Konate, with a discussion of the historical context of women’s imprisonment in South Africa and a summary of the contemporary prison estate, numbers and regimes. In contrast with

the previous authors, Luyt and Du Preez utilise quantitative methods to explore a number of variables in women's experiences. Like the previous authors –and indeed most of the existing canon of research on women's imprisonment which has emerged over the last three decades–they identify a number of issues and challenges posed by women's imprisonment in South Africa, concluding that “women are at the losing end in correctional institutions.” This is a persistent thread underpinning the articles in this volume- that although in all penal systems women continue to comprise a minority, and sometimes a small number of prisoners, their needs are often unmet. Jessica Breen's article on women and imprisonment in Ireland begins from a slightly different premise to that usually encountered in current writings on women's imprisonment. In many countries, including the UK, the US and New Zealand, women's imprisonment is increasing in terms of rate, sentence length and numbers. In contrast, although women's imprisonment in Ireland appears to be increasing, this is taking place against a backdrop of an overall fall in the number of imprisoned women over the twentieth century, and steeply falling numbers of both men and women coercively confined in quasi-penal settings. Jessica Breen points out that women are becoming a more marginalised group as prison is becoming increasingly male-dominated. This means that although the decarceration of women in Ireland is clearly to be applauded as a step in the right directions, imprisoned women may find themselves increasingly pushed to the edge of penal debates and discussions, finding themselves and their needs increasingly invisible and ignored.

Taken together, there are some key themes and threads underpinning and running through these articles. The historical context of women's imprisonment is identified and explored: penal systems do not emerge fully formed from nowhere, and as the authors included here demonstrate, current-day experiences of imprisonment echo and reflect the historical socio-political conditions in which penal institutions, policies and practices emerged. This is particularly visible in the post-colonial context, and it is striking that colonialism and its aftermath figure so prominently in these articles.

All these articles identify the lengths women go to in order to maintain their identity as women, and as mothers, with resistance and activism a key element of women's interaction with the prison environment. As women's involvement in many campaigns as shown, such as anti-drugs and anti-guns campaigns, when women feel that their identity as mothers, or their effectiveness as mothers, is

under threat, then women will use all strategies available to them in order to resist and to challenge the masculinist power of the prison.

The effects of imprisonment on women and girls raise inherent questions of justice and rights which go beyond questions of individual states' responses to prisoner's families and include questions of race, gender and punishment. Indeed, to focus on these issues as domestic matters linked to individuals states or jurisdictions can serve to conceal injustices: as Benhabib, Morrison and others have argued "if we are to grasp, and challenge, the major sources of social injustice today, we need to move beyond the state-territorial principle" (Benhabib, 2004: Fraser, 2005, Morrison, 2006: all cited in Aas, 2007). We are faced with a world where, as a consequence of parental imprisonment, many, many children are living without parents, and indeed these children are already, as Renny Golden (2005) has pointed out, children living with multiple deprivations to start with. After all, on the whole it is not the richest or most powerful members of society who find themselves in prison. It is impossible to talk about imprisonment on a world level without talking about globalisation and the prison-industrial complex. Prison is an international business, which excels at producing its own future customers. Indeed, what prison does best is to produce more prisoners, by rendering its 'customers' repeat users and also playing a role in ensuring that their children go on to use the same prison system in the future (rather like fathers and sons following the same cricket or football teams for many generations.

When we talk about imprisonment in "developing" countries we need to consider the effects of global capitalism both in terms of poverty, deprivation and socio-economic problems of citizens but also in terms of how prisons are run and operated. If we consider imprisonment as an international, transnational and global phenomenon, then we also need to consider prisoners' families. If we can assess the impacts of imprisonment on individual families and communities, then whatever we say about these impacts needs to be assessed in terms of the global scale. We then find ourselves in the position of assessing the costs and benefits of imprisonment on a world level. Imprisonment is not the only way of punishing those who do wrong, if punishment is what is socially sanctioned as a response to criminal wrongdoing. It is not inevitable that a state has a high rate of imprisonment. Rose Smith and others, who in their study for the Rowntree Foundation in the UK assessed the costs of imprisonment, including health and social care for prisoners' partners and children, through small-scale case studies found that the costs of imprisonment far exceeded the immediately obvious costs of keeping

a prisoner in jail once factors such as substitute child care, healthcare and other social costs were factored in (Smith et al., 2007). If this is amplified to a world level then we are faced with a world where many, many children are living without parents. If we are living in the so-called global village, then we need to consider the costs and benefits of the global village prison. Perhaps the most worrying element for those of us of a critical persuasion is that prison is now a highly profitable global business. This means, therefore, that rather than viewing prison as another demand on taxpayers' money and on state resources, prison becomes a source of profits for shareholders who thus have a vested financial interest in maintaining and expanding the prison population. Thus, in the face of the inexorable expansion of "World Prison Inc." women and their families suffer 'collateral damage' in the pursuit of profit.

Attempts *have* been made to reform prisons in some countries, as exemplified by the work of Kiran Bedi in India who famously substantially reformed Tihar prison along therapeutic and community lines, creating an institution which is described in her book as "a virtual ashram" (Bedi, 2007: Bharucha). However, since she left the prison many of her reforms have been abandoned or, as in the recitation of the morning prayer she introduced, reduced to a matter of ritual and discipline (Gilani, 2011). The problem here is at first glance one of not having reformed the staff and the processes sufficiently, but also it illustrates the persistent power of the prison, carceral clawback and the strength of the prison establishment to resist change as also noted by other writers on Indian women's prisons (Cherukuri et al., 2009; Kaushik, 2010; Kaushik & Sharma, 2009; and Pandey & Singh, 2006).

In this context, it thus becomes important to consider adopting a far more radical abolitionist perspective and challenging the use and existence of the prison itself (Scott & Codd, 2010). There is a great deal of work to be done. Criminology is already developing and assessing global and not merely transnational perspectives on a range of phenomena, such as organised crime, transnational policing, transfer of penal knowledge and policies and the trans-border sex industries. We have already seen the global development of campaigns around domestic and sexual violence, the death penalty, and human rights. Women and girls' interactions with prison systems raise fundamental questions of social exclusion, marginalisation and justice. Thus, further research is needed which links work on women, girls, prisoners' families and criminal justice

with critical perspectives on punishment and the expansion of the prison-industrial complex, to develop radical, critical, and global feminist perspectives which challenge the power of the prison.

### References

- Aas, K.F. (2007). Analysing a world in motion: Global flow meets 'criminology of the other. *Theoretical Criminology*, 11, 283-3031.
- Bedi, K. (2007). *It's always possible: One woman's transformation of India's prison system*. Honesdale, PA: Himalayan Institute Press.
- Benhabib, S. (2004). *The rights of others: Aliens, residents and citizens*. Cambridge: Cambridge University Press.
- Bharucha, R.N. (2007). *Shadows in cages: Forgotten women and children in India's prisons*. Honesdale, PA: Himalayan Institute Press.
- Bosworth, M. (1999). *Engendering resistance: Agency and power in women's prisons*. Aldershot: Ashgate.
- Cherukuri, S., Britton, D. & Subramaniam, M. (2009). Between life and death: Women in an Indian state prison. *Feminist Criminology*, 4, 252-274.
- Cook, S. and Davies, S. (eds.) (1999). *Harsh punishment: International experiences of women's imprisonment*. Boston, MA: Northeastern University Press.
- Fair, H. (2009). International review of women's prisons. *Prison Service Journal*, 184, 3-8.
- Fraser, N. (2005). Reframing justice in a globalizing world. *New Left Review* (Nov./Dec.): 69-88.
- Gilani, I. (2011, 24 May). Games the mighty can play in Tihar jail. *Tehelka*.
- Golden, R. (2005). *War on the family: Mothers in prison and the families they leave behind*. New York: Routledge.

- Kaushik, A. (2010) *Human rights of women prisoners in India: A case study of Varanasi district prison*, Koeln: LAP Lambert Academic Publishing.
- Kaushik, A. & Sharma, K. (2009). Human rights of women prisoners in India: A case study of Jaipur central prison for women, *Indian Journal of Gender Studies*, 16, 253-271.
- Lawston, J.M. & Lucas, A. (2011). *Razor wire women*. Albany: SUNY Press.
- Morrison, W. (2005). Rethinking narratives of penal change in global context. In J. Pratt, D. Brown, M. Brown, S. Hallsworth and W. Morrison (Eds.), *The new punitiveness: Trends, theories, perspectives* (pp. 290-307). Cullompton: Willan.
- Nagel, M. (2008). Women's rights behind walls. In V. Saleh-Hanna (Ed.), *Colonial systems of control: Criminal justice in Nigeria* (pp. 223-44). Ottawa: University of Ottawa Press.
- O'Brien, P. (2001). *Making it in the 'free world'*. Albany, NY: SUNY Press.
- Pandey, S.P. & Singh, A. KR. (2006). *Women prisoners and their dependent children. (The Report of the project funded by planning commission, Government of India, New Delhi)*. New Delhi: Serials Publication.
- Quinlan, C. (2010). *Inside: Ireland's women's prisons, past and present*. Dublin: Irish Academic Press.
- Scott, D. & Codd, H. (2010). *Controversial issues in prisons*. Milton, Keynes: OUP/McGraw Hill.
- Smith, R., Grimshaw, R., Romeo, R. & Knapp, M. (2007). *Poverty and disadvantage among prisoners' families*. London: Joseph Rowntree Foundation.
- Sudbury, J. (Ed.). (2005). *Global lockdown: Race, gender, and the prison-industrial complex*. New York: Routledge.



Vetten, L. (2008). The Imprisonment of women in Africa. In J. Sarkin, (Ed.), *Human rights in African prisons*, (pp. 134-154). Cape Town: HSRC Press.