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# **A SOCIOLOGICAL INPUT - WOMEN IN PRISON**

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## **Introduction:**

In the tapestry of the modern criminal justice system, women in prison meet at intersections of multiple problems and challenges. More and more women are incarcerated in today's world. This is a clear fact that cannot be ignored. Many factors contribute to this trend, such as the increase in non-violent crimes or the effects of social and economic inequalities. These women have diverse stories that are influenced by their past experiences of trauma, abuse, addiction, and injustice. Their experiences in the criminal justice system are full of challenges and coping mechanism, which need to be carefully examined and understood. We can seek to understand the challenges and vulnerabilities faced by women in prisons by exploring the intersections of gender, race, socioeconomic status, criminal justice policies and social situations.

## **The problems:**

The prison system since its scattered establishment has been an androcentric and male led ecosystem. In recent years, there has been a rise in the quantity of incarcerated women all around the world. They lead shorter terms for generally less serious crimes, in a system that is wholly male led. Pushed into a system that has been made to cater to the male gender, women prisoners deal with a plethora of problems; problems that they face and don't face in the real world exacerbated by the festering lifestyle, violence, depravity, overcrowding, congestion, oppression and torture inmates in today's world face behind bars. Ever since the first lenses of gender were trained on the institution of prisons, the "what women want" of it has been studied in a way that disproportionately disadvantages females. Their needs and wants have always been studied and recorded as extended needs and special wants and not as basic necessities and a decent way of life. All over the world, training just the lens of gender on inmates has never been enough. Parallely viewing it through lenes of race, caste, creed, etc. all tend to reveal that within the proportionally small population of women prisoners some sects tend to be incarcerated at higher rates than the others. Female prisoners generally tend to have a background and a past coloured

in disadvantage, disability and misfortune. If this is due to the broader population of male prisoners, more extensive research on the pasts of women, offending being more common among males or if it is a screaming testament to the blatant sexism that persists in every corner of the institutions in place today is unclear. Research into the responses of female prisoners and their adaptation to life in prison, their addiction, history of mental health issues, familial pressure and institutionalised oppression all affect their responses, all of which has been slammed with the prerequisite of how similar those experiences are to the male's. Concerns raised all seem to question the governments, policy makers and prison administrations of how the institution can be made a better place for women, while entirely new schools of work focus on the gendered nature of crimes and the disproportionate imposition of punishment on women prisoners.

Research into women in prison was started by the classic prison sociology in the 1950s and later by targeted studies in the 1960s<sup>1</sup>. In earlier times, women's adaptation to prisons were studied as a comparison to the prevalent male prisoner "code of conduct". Most commonly and consistently it seems studies into adaptation share studying issues like aggression, depression, suicidal tendencies, emotional issues and mental trauma. Pre and post-prison life of women need to and have been analysed, wherein the key lies in understanding how the institution of prison compounds these tendencies, the offenses and the root causes behind them, while recently, feminist schools of thinking have influenced the understanding of women's experiences and adaptations in prison; criticising the mode of thinking and delving more into how different layers of women's identities and backgrounds shape their modes of adaptation, moving away from the "need to fix" basis and the ideal type of adaptation to prison.

One of the first major contributions to the study of prisons was Clemmers' studies and the theory of prizonisation<sup>2</sup>. The studies of the institution of prisons grew along with the growth of different modes of thinking. Talcott Parson's analysis from a functionalist point of view, the first traces of studying prison as having its own hierarchies and order in his "The Social System". This and later "functionalist" studies of prison systems first helped to establish the idea that it was not just crime and punishment that influenced adaptations to prisons, but lives before prisons, the

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<sup>1</sup> Kruttschnitt, C. (no date) Women's imprisonment, Jstor. Available at: [https://www.jstor.org/stable/pdf/1147696.pdf?refreqid=fastly-default%3A6022a8cc57da7f3778c9575877bc118b&ab\\_segments=0%2Fbasic\\_search\\_gsv2%2Fcontrol&origin=&initiator=&acceptTC=1](https://www.jstor.org/stable/pdf/1147696.pdf?refreqid=fastly-default%3A6022a8cc57da7f3778c9575877bc118b&ab_segments=0%2Fbasic_search_gsv2%2Fcontrol&origin=&initiator=&acceptTC=1) (Accessed: 09 October 2023).

<sup>2</sup> IN 1940 CLEMMER DEFINED PRISONIZATION AS THE ASSIMILATION OF DEVIANT NORMS, VALUES, AND MORE OF THE INMATE CULTURE INTO AN INMATE'S PERSONALITY. HE CONSIDERED THIS TO BE A NATURAL ADAPTATION BASED ON AN ATTEMPT TO ESTABLISH AN IDENTITY WITHIN THE PRISON SOCIAL ORGANIZATION.

ecosystem of the prison and manner and matter of punishment, etc.

Later, earlier classic American studies on women's life in prison created major waves. Studies of Ward and Kassebaum<sup>3</sup>, Giallombardo's studies and Heffernan's research revealed first understandings of women inmates' life in prison. It revealed the dynamics of the relationships that existed within prison, how preprison life affects the inmates' positions and first shed light, to much criticism, on the consensual and non-consensual sexual relationships that existed within prisons. The existence of sexual and emotional relationships that existed within prisons became an important field of study within, pathologizing and maligning it, affected unquestionably by the prejudices of the time. Over the years the methods of study in this have changed, along with the thinking around relationships among women within prison, showing an increase in acceptance and the number of consensual sexual and emotional relationships within prison.

Understanding of individual coping and adapting to life in prison, has a micro sociological aspect to it running parallel with a completely psychological means of understanding. Here we zero in on understanding mental health issues and deviant behaviour.

Understanding aggression and physical violence; it seems generally women prisoners lead proportionally less physical attacks compared to male prisons and prisoners though aggression seems a prevalent problem among. Reports of violence against women prisoners by authorities come forward all the time, while it is very certain that the actual number of reports is very understated due to the lack of a proper framework in many situations to bring forth such complaints and the means of suppression of such incidents<sup>4</sup>.

The prevalence of depression among incarcerated female prisoners has been an important topic of study, though relatively less systematic information is available about it<sup>5</sup>. When both male and female included studies have been conducted it is seen that females tend to proportionally have higher reported cases of depression<sup>5</sup>. As a major problem, the relatively smaller availability of women only prisons and actual accommodation for women within the system as a whole, women

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<sup>3</sup> WOMEN'S PRISON: SEX AND SOCIAL STRUCTURE. By David A. Ward and Gene G. Kassebaum. Chicago: Aldine Publishing Company, 1965. 269 pp.

<sup>4</sup> Women in prisons India. Available at: <https://wcd.nic.in/sites/default/files/Prison%20Report%20Compiled.pdf> (Accessed: 09 October 2023).

<sup>5</sup> Kruttschnitt, C. (no date) Women's imprisonment, Jstor. Available at: [https://www.jstor.org/stable/pdf/1147696.pdf?refreqid=fastly-default%3A6022a8cc57da7f3778c9575877bc118b&ab\\_segments=0%2Fbasic\\_search\\_gsv2%2Fcontrol&origin=&initiator=&acceptTC=1](https://www.jstor.org/stable/pdf/1147696.pdf?refreqid=fastly-default%3A6022a8cc57da7f3778c9575877bc118b&ab_segments=0%2Fbasic_search_gsv2%2Fcontrol&origin=&initiator=&acceptTC=1) (Accessed: 09 October 2023).

prisoners tend to be held at way higher restrictive environments than is necessary for the crimes they have conducted; the restrictions imposed on a prisoner is seen to directly tie into their mental state and severity of depression and suicidal tendencies. Women prisoners are seen to face issues of suicidal tendencies and self-harming at a higher proportion than the proportionally higher quantity of male prisoners. Women prisoners tend to have higher rates of alcohol and drug abuse. No specific reason could be offered to explain this phenomenon and it is difficult to answer this question with empirical data collected from this very small population. But studies linked to addiction and re-entry into society reveal that problems with addictions and substance abuse pre and post-prison is seen to be one of the greatest problems hounding women inmates. Though actual empirical data has been collected from various different periods and different areas of the world, all studies commonly tend to follow these understandings of a women inmates' mental health and problems in prison from studies in Canada, USA and UK to third world countries<sup>6</sup>.

Recidivism<sup>7</sup> exists as one of the primary problems that need to be understood and handled for inmates. There is a very common understanding that there is a blatant lack of understanding of the mental, emotional and physical needs of women in the traditionally existing androcentric prison systems all around the world, and this extends to their re-entry into society from incarceration as well. The question of “what works” in understanding the reformation of inmates has always been a hard question to answer and becomes a harder question still when we focus different lenses and backgrounds on the inmates. More recent understandings of sociology and applying them to the prison ecosystems reveal a call for understanding the background, lives within prison and future of the inmates to understand “what works”, which just means that that question currently does not have a specific answer. Intersection of race, gender, caste, creed etc. all make the position of women and their recidivism in very risky positions within the justice system.

Qualitative studies that women are closely linked to structures of family and when sentenced to prison, an important link of that family is taken away. Imprisonment has a profound effect of women prisoners and their establishment and maintenance of family ties, a social life, communities and economic opportunities. This closer tie to family seems to offer a greater chance at reintegration into society, but the variation in integration, affected by the stigma, drug and

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<sup>6</sup> From the Women's Prison: Third World Women's Narratives of Prison, Barbara Harlow, *Feminist Studies*, Autumn, 1986, Vol. 12, No. 3 (Autumn, 1986), pp. 501-524

<sup>7</sup> Recidivism is one of the most fundamental concepts in criminal justice. It refers to a person's relapse into criminal behavior, often after the person receives sanctions or undergoes intervention for a previous crime.

alcohol abuse, victimization, etc. linked with women inmates' recidivism offer unique disadvantages.

Children of women in prison are the most vulnerable yet the least studied and focused on. These children; their lives and their futures are affected to great extents, especially when their mothers acting as primary caregivers are the ones incarcerated. Losing such a strong sociological link, and the kind of effects it has on the female prisoners and their mental health as a whole, and the trajectory it sends the children off on should be studied. The relationships that exist between these women in prison and their children is very complex and is only beginning to be understood and offers very different contradictory experiences to women prisoners, depending on their ethnocultural background. Children born or residing in prisons with their mothers are often not provided of the most basic things necessary for proper development, going so far as being denied of breast feeding as it might disrupt the schedule of the prison<sup>8</sup>. The institutionalised oppression and discrimination faced by women prisoners as a whole seems to extend to their families and their offspring, making it one of the most criminally under addressed problems that women in prison face.

Life after prison seems compounded in terms of hardships for the majority of women. For the inmates who are not pushed back into a cycle of a lack of economic opportunities or one of addiction and abuse, necessary skills are not provided to break out of an oppressive cycle that constantly holds them down. Prison is said to be an institution of reformation. The effects of punishment a prison holds are very clear when we look at the recidivism of women prisoners, and its lack of power of reformation and providing inmates with the tools necessary to break out of the oppressive cycles they live in and reform and integrate into society is even clearer.

Very often incarcerated women, jailed proportionally higher for lesser offences though given higher punitive measures, seem to come from systems that have imposed various levels of trauma and abuse on them, systematically pushing them into a life of crime (which too could be an explanation of the addiction issues faced by women). The festering life behind bars creates a condition where this trauma and abuse is commonly imposed on women inmates from the authorities holding them there and the inmates they share the institution with. Pre-prison, these inmates face lives filled with "poverty, illiteracy, substance abuse, mental illness childhood

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<sup>8</sup> Women in prisons India. Available at: <https://wcd.nic.in/sites/default/files/Prison%20Report%20Compiled.pdf> (Accessed: 09 October 2023).

sexual abuse, and an intricate web of life-threatening physical, psychological, racial, and sociological problems". Incarcerated women are seen to face trauma and abuse at rates compounded than is normally faced by females<sup>9</sup>. Reports come forward from institutions all over the world, after the nominal silencing and oppression, of violence, sexual assault, and trauma imposed on women inmates by the very institution they are housed in and "reformed" by. A depressing extreme reflection of the society outside, women under authority is forced to surrender to the authority before him to such depraved extends that concepts of consent becomes irrelevant behind bars. Women in prison are constantly reminded of the lack of autonomy over their over bodies under these figures of authority through invasive and pervasive practices like body searches, sexual abuse, sexual assault, behaviour in a physically invasive manner, etc. that has seen to be the norm in female prisons and against female inmates around the world. A sense of powerlessness and lack on control is hammered repeatedly into the minds of convicts through a system in which they are constantly reminded of the blaring power differences and their lack of control in it.

Homosexual women tend to face greater victimisation and alienation behind bars. Homosexual inmates may also undergo a type of victimization marked by feelings of shame and a negative "victim mentality" resulting from their experiences in a predominantly heterosexual society. Undoubtedly, the intersecting oppressions they face profoundly impact the experiences of women entering and residing in prison. To summarize, the presence of victimization significantly influences all women, both as victims and witnesses of this violence. The dynamics within prison exacerbate the already detrimental experiences of women, especially considering the cultural victimization related to racism, classism, and various other forms of oppression.

Considering the high occurrence and gravity of past sexual victimization and trauma experiences among incarcerated women, a significant number of female inmates endure the consequences of childhood and adult sexual abuse<sup>9</sup>. This could offer one explanation as to why rates of stress and trauma induced mental illnesses are high amongst female inmates. These women, coming from positions of vulnerability and unsafety and placed in a social situation that exacerbates those feelings and does nothing to contribute to reformation and freedom from such feelings.

The existence of male correctional officers in women's facilities may exacerbate power

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<sup>9</sup> Sexual Revictimization and Retraumatization of Women in Prison, Danielle Dirks, Women's Studies Quarterly, Fall - Winter, 2004, Vol. 32, No. 3/4, Women, Crime, and the Criminal Justice System (Fall - Winter, 2004), pp. 102-115

imbalances as women must rely on men for basic necessities (Human Rights Watch, 1996). Correctional officers' and prison authorities' absolute power over inmates create situations of being thrown into sexual exploitative relationships. Inmates that have to undergo these situations no longer cease to be victims of such situations but just "inmates". These exploitative and abusive relationships that develop and sustain all too easy within prisons sustain not necessarily through violence or abuse but through power.

Life in prison ceases to be life in prison for a lot of inmates after a point. Life for them becomes a looming threat of suffering in very extreme fashions at the hands of the power that looms over them. Everyday becomes a physical, mental and psychological threat. Attacked and further stigmatized by fear of expressing their discomforts to the authority before them and the stigma that is naturally attached to any women speaking up in society today, women in prison leave a life that is characterised by a cycle of traumatization, victimization, revictimization and retraumatization<sup>9</sup>.

There is a very urgent need to ask the questions that matter. The "questions need to be about women, not about crime or prisons, but about who the women are and how they become who they are" (Lord 1995). The importance of a feminist approach to dealing with issues like these are paramount. Focus of most studies today are on how prison can structurally be made an easier space of living for woman inmates, but schools of thought need to focus on questioning the very deplorable level women inmates have been pushed to by the institution of prison and its authority, and further empowering these inmates to ask questions and challenge the conditions of their lives. We cannot work on making life for women inmates easier without understanding why and to what extent their life has been shaped by power and the society around them, and in what ways they can be empowered to question it and fight against it on their own self, starting from questioning the nature of punishment and reformation in the institution of prisons by themselves. *Recognizing the undeniable connection between women's involvement in criminal activities and their history of victimization and trauma, it becomes imperative to scrutinize the necessary structural needed to break the ongoing cycles of victimization affecting girls and women. While some may question the feasibility of such a structural overhaul in our society, the more pertinent question persists: can we afford not to?*

*In the 1960's there emerged a global consensus that "women's rights" is not women's rights but human rights. This realization is of utmost importance when we study the institution of prisons. The most basic of needs are seen as extended needs and specialised interests and not just basic*

necessities and a way of life. Around the world and especially in third world countries, prisons have become a “home” for socially displaced, undereducated and persecuted women<sup>18</sup>. Studies of women inmates in prisons in South Africa<sup>10</sup> reveal a story of underprivileged women travelling to cities and being pushed into a life of institutionalised oppression, violence and crime. Women are jailed at higher punitive rates for proportionally lesser crimes, and their lives start to be lives in prison. Without a doubt, women entering the criminal justice system have often endured significant victimization before their arrest and imprisonment. While the specific reasons for their incarceration may vary by country, it's clear that victimization, often intertwined with poverty, plays a substantial role in pushing women into challenging circumstances. One can make a compelling argument that incarcerating women only worsens their already disadvantaged social status and limits their options for reintegration into civil society.

A prison has had different definition of what it should be throughout history. Now seen more commonly as an institution of history, it has been defined as a cage to protect anti-social elements for society<sup>11</sup> and it seems to achieve this goal, prisons have historically managed a sub-standard way of life; by compromising human dignity and putting people in prisons as long as the “law” permits.

### **Conclusion:**

The concept of the 'Madonna/Whore' duality can be observed through men's perceptions of women<sup>12</sup>. Men often view women as potential mothers, sources of physical satisfaction, objects of adornment, inexpensive labour, and sources of entertainment. An analysis of women within the criminal justice system reveals that they were generally accepted as long as they adhered to their designated, traditional roles. However, challenges emerged when women began to question the prevailing segregated status quo. While numerous theories exist regarding the criminal behaviour of women, there is a noticeable lack of practical efforts to identify concrete causes or viable solutions. The prevailing perception of female offenders as deviant and nonconforming individuals perpetuates the 'Madonna/Whore' myth. This dichotomy becomes especially evident when discussing women who aspire to achieve complete integration, equal employment

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<sup>10</sup> Women's rights behind walls, Mechthild Nagel, Criminal justice in Nigeria, Colonial systems of control, University of Ottawa press, <https://www.jstor.org/stable/j.ctt1ckph37.18>

<sup>11</sup> Our Prisons Punitive or Rehabilitative? An Analysis of Theory and Practice, Pluto Journals, Rais GulSource: Policy Perspectives, Vol. 15, No. 3 (2018), pp. 67-83

<sup>12</sup> Feinman, C. (no date) Women in the criminal justice system. Available at: <https://www.ojp.gov/ncjrs/virtual-library/abstracts/women-criminal-justice-system-1> (Accessed: 09 October 2023).

opportunities, and career advancement within the criminal justice system. They are often unfairly characterized as unwomanly, sexually questionable, promiscuous, physically frail, emotionally unstable, and a threat to the well-being of corrections and law enforcement personnel, as well as detrimental to the legal cases of their clients. Consequently, despite some progress made by professional women, achieving full equality within the criminal justice system appears to remain an elusive goal for the foreseeable future.

An examination of the sociological conditions of women in prison reveals a complex and multifaceted set of challenges that extend far beyond the prison walls. Women who find themselves entangled in the criminal justice system often face a myriad of intersecting social and structural inequalities. These inequalities are rooted in gender, race, class, and prior life experiences, and they converge to create an environment where women are undoubtedly unsafe and vulnerable.

It is evident that addressing the sociological conditions of women in prison requires a multifaceted approach. This approach must include comprehensive criminal justice reform, access to mental health services, educational and vocational opportunities, and support for mothers to maintain bonds with their children. Additionally, a critical component of reform must involve addressing the root causes that lead women into the criminal justice system in the first place, such as poverty, substance abuse, and domestic violence.

In pursuit of a more “just and equal” society understanding the sociological situation of women in prison and the countless intersections of the problems that exist and don’t exist in society is paramount. Breaking the seemingly daunting cycle of institutionalised incarceration, supposed “reformation” and the lie of recidivism is another goal that, for our dreams of a better world should be held close.

“The degree of civilisation is a society can be judged by entering its prisons.”- Fyodor Dostoevsky