

**Outsiders Inside: The Social Context of Women's Lawbreaking and
Imprisonment**

by

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for the degree of Doctor of Philosophy
Graduate Department of Social Work in the
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ABSTRACT

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This study is an examination of the impact of systemic oppression on women's agency and autonomy and its relationship to women's lawbreaking. The primary aim of this study was to uncover the ways that women's autonomy is impacted by systemic inequities and to find out how participants negotiated these inequalities. Recently implemented "woman-centred" correctional policy and programming was also examined and compared to incarcerated women's own lawbreaking and life history narratives.

Data was gained from life history interviews and focus groups with incarcerated women, interviews with front-line correctional staff, and content analysis of correctional policy. This study reports findings in three main areas. First, the use of "woman-centred" therapeutic discourse within a women's prison functions as a means of managing women's institutional behaviour. Psychological treatment is integral to the prison's power to assess and control women's risk, behaviour, and qualification for privileges and release. Second, the racialized quality of a gender based model discounts black women's experiences and further perpetuates their outsider status. Psychological discourse based on notions of women's sexual victimization did not resonate with Black women's experiences, whose criminal convictions were largely economic. Lastly, the use of an individualistic and racialized "ethic of care" approach to relationships between staff and prisoners depoliticize women's social experiences and contribute to the overall correctional agenda of punishment and control. This study concludes with recommendations for an alternative theoretical paradigm and policy directions that recognize the relationship between socio-economic inequalities based on race, class and gender oppression, and women's lawbreaking behaviour.

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INTRODUCTION

In "Self-Government and Self-Esteem" Barbara Cruikshank (1993) states that the assumption that a *lack of self-esteem* lies behind social problems is implicit in many programming and social policy initiatives. Policy and programming for welfare recipients, pregnant teens, young offenders, abuse survivors and substance abusers have stated as one of their primary goals, strategies to empower participants and raise their self-esteem (Cruikshank, 1993; Young, 1994). The goal of such approaches is to instil within the client a sense of self-worth and self-efficacy. Although this goal is not inherently problematic, the underlying conceptual schema denies the existence of actual *disempowering* social conditions that, regardless of how strong one's sense of self-esteem, remain disempowering. Such an approach tends to decontextualize individuals from their social context and, in terms of marginalized people, fails to acknowledge the impact of structural and systemic oppression.

Individualistic policies, theories, and interventions also lie behind many correctional approaches to dealing with women's lawbreaking. In Canada, we can see the consequences of this type of analysis in the recent reformation of the federal women's prison system. In sharp contrast to traditional correctional policies founded on principles of punishment and discipline, the document guiding these changes, called *Creating Choices*, focuses upon empowerment strategies and lifting the low self-esteem of women in conflict with the law (Task Force on Federally Sentenced Women, 1990). The document was written by the Task Force on Federally Sentenced Women, a group made up of equal numbers of grass roots feminists and Correctional bureaucrats (Shaw, 1992). *Creating Choices* places a heavy emphasis upon the high prevalence

of sexual and physical abuse experienced by the majority of federally sentenced women in Canada and the *emotional* impact of gender and racial/cultural oppression (1990: 105-106). One of the central goals of *Creating Choices* is to provide recommendations for women's prison programming to meet women's specific needs. Despite the assertion that "the inequities and reduced life choices encountered by women generally in our society" are "experienced even more acutely by many federally sentenced women" (105), the report primarily addresses the effects of these structural barriers on women's self-esteem. In doing so, low self-esteem implicitly becomes the causal factor in women's criminal behaviour and thereby the focus of prison programming. The Task Force writes:

Low self-esteem reduces a woman's ability to cope. It increases self-destructive behaviour, so prevalent among federally sentenced women. It can contribute to violence against others. Low self-esteem reduces a person's ability to plan for the future, to take responsibility for her actions, and to believe she can make meaningful choices that will help her live with respect and dignity (Task Force for Federally Sentenced Women, 1990: 107).

The conclusions of the Task Force reflect the view that victimization experiences result in damaged self-esteem, causing women to "feel dis-empowered, unable to help create or make choices...even if realistic choices are presented to them" (105). The notion that "realistic choices" are often *not* available, is evaded in the above quotation from *Creating Choices*.

One of the problems with linking low self-esteem so directly with women's criminal behaviour is that it decontextualizes women from the social and political parameters of their lives. This type of approach individualizes the experiences of women in conflict with the law by locating the cause of lawbreaking within women's psychology. As such, forms of oppression such as racism, classism and sexism are ignored and escape being understood as contributing

factors in the lives of women in conflict with the law. When women's lack of self-esteem is deemed the cause of her lawbreaking then she herself becomes the object of inquiry; the problem *and the solution* to the problem, lie within the individual woman herself. Thus, individual solutions based upon self-esteem and empowerment leave *disempowering* social conditions unchallenged. Additional needs, such as adequate employment opportunities, job skills, education, and material resources are not given any significant priority in this model.

A second and related problem is that defining women in conflict with the law solely in terms of the psychological effects of victimization or in terms of their failure at coping with life, renders these women without agency. The idea of agency as being exclusively internal or psychological lends itself to individual solutions and interventions. Policies and programming that reflect a notion of agency as purely subjective divert attention from the fact that many women experience *actual* oppression that limits their abilities to act as agents. Further, such approaches ignore the ways in which women *do* function as agents even within the confines of marginalization.

The needs of women in conflict with the law have become, through the discourse of self-esteem and empowerment, articulated as purely psychological in nature. The interventions directed at meeting their needs fall under the rubric of *empowerment programming* which, as Wendy Brown states "too often signal[s] an oddly adaptive and harmonious relationship with domination" (22). Both Cruikshank (1993) and Brown (1995), argue that empowerment discourse masks and legitimates the power relations of dominance by criminalizing and pathologizing individual reactions to oppression. Empowerment programming, therefore, may actually meet the needs of the powerful, rather than those for whom the programs are designed.

Thus, the premise "that one can 'feel empowered without being so' forms an important element of legitimacy for the antidemocratic dimension of liberalism" (Brown, 1995:23).

Empowerment' and Social Work

The notion of "empowerment" is now a commonly used concept within much of the social services literature (Kopp, 1989; Young, 1994; Gutierrez et.al, 1995; Browne, 1995; Townsend, 1998). Despite the popularity of empowerment discourse social work practitioners and researchers vary in the ways that "empowerment" is understood and "empowering" policy and programming are designed. As Young (1994) states "every one is for it, but rarely do people mean the same thing by it" (48).

In her review of the social work literature Browne (1995) found three main ways that empowerment is understood. One way that empowerment is used is to refer to a set of *practitioner skills* that when correctly employed, lead to a client's sense that s/he can make changes in her/his lives. This notion of empowerment refers to the desired *outcome* or product of a social service intervention. Second, a few authors add a social or community dimension to empowerment, claiming that individuals are empowered through sharing experiences, raising consciousness, collective action and advocacy (Browne, 1995: 359). This empowerment model advocates for an equal distribution of material resources and often refers to legislative, policy and organizational changes as paths towards empowerment (Townsend, 1987: 10). The most common understanding of empowerment is as a *psychological* quality that provides individuals with the feeling that they can control the direction of their lives. This is the notion favoured by the Task Force on Federally Sentenced Women and many other policy and programmatic

approaches to incarcerated women.

Several authors have found that, with a few exceptions, most models of empowerment prioritize an individualistic or psychological notion of empowerment, thereby minimizing the importance of social influences and oppression (Young, 1994; Browne, 1945; Townsend, 1998). When empowerment is viewed as predominantly a psychological characteristic - as an individual's subjective sense that she can determine her own life's course - personal struggles risk becoming privatized and individualized. This is particularly problematic in terms of addressing the effects of oppression. Individualizing social issues can result in blaming people for problems that arise from being oppressed in various ways and may be further disempowering to them. As Townsend writes "we are victimizing unempowered individuals if we say that they alone are the makers of their misfortunes" (1998: 10).

However, as both Young (1994) and Townsend (1998) point out, psychological and social aspects of empowerment need not be understood as mutually exclusive but rather as intimately related. The degree to which an individual experiences social conditions that are empowering inevitably influences the degree to which she possesses a sense of her own personal or psychological empowerment. Psychological empowerment, in turn, can influence an individual's ability to work towards changing her social circumstances. The relationship between a feeling of being empowered and actually having access to power is thus dynamic and reciprocal.

A further tension within the empowerment literature pertains to the relationship between the individual and the social and how individual agency is theorized within this context. An analysis that views individuals as inherently autonomous and self-determining is likely to favour

an understanding of empowerment that is individualistic and psychological. This type of analysis will tend to view empowerment as residing within the individual herself and lead to services and policies that are thought to enhance her *feelings* of self-worth and autonomy. Conversely, perspectives that assume that an individual's autonomy is in large part determined by her social positioning and access to material and political sources of power, are more likely to adopt a social or political analysis of empowerment, advocating social change and critical social reflection as methods of obtaining empowerment.

Social workers need to critically reflect upon how we conceptualize and operationalize 'empowerment'. This involves an investigation of how social work practice, research and discourses contribute to the individualization of social problems. The field of social work reflects many of the dominant assumptions and discourses of such fields as medicine, psychology and law and is thus embedded within dominant discourses and practices. We need to challenge dominant assumptions that privatize social problems and perpetuate disempowering conditions.

Terminology

One of the debates within feminist activism and scholarship over the last few decades has centred upon the question of how to understand the effects of patriarchy upon women, while also recognizing women's strengths, resistance, and agency within oppressive circumstances. This debate has taken place across academic disciplines and, as such, has influenced the way that feminist criminologists and legal theorists have theorized and described women who break the law. One of the sites of this discussion has been through an examination of the language used to describe and analyse the experiences of women in conflict with the law. Karlene Faith

(1993:57), for example, writes that the commonly used term "female offender" is problematic because it promotes gender based stereotyping by positioning women offenders against their male counterparts. She also states that "female offender" categorizes all women as possessing the same characteristics, thus denying personal differences and experiences. Faith also rejects the term "women in conflict with the law" claiming it obscures the basic power imbalance between convicted women and the legal system. Although she prefers the term "lawbreakers," ultimately Faith concludes that labels are confining and never accurately account for differences.

Kathleen Daly (1992) also questions the appropriate terminology for women who break the law. Her reasons for doing so reflect her concern that academic feminists must constantly grapple with our representations of "others". She writes that the term "female offender" is problematic because it is generally the term used by the state to label women who have broken the law (1992: 16). She also rejects the common term "criminalized women" suggesting that this term "is good for emphasizing the state's role in constructing crime, but it may be inadequate for describing non-economic harms" and for addressing issues of responsibility for aggressive or violent criminal behaviour (50). Daly is concerned with labels that obscure women's active participation in breaking the law but, like Faith, does not resolve the debate or state her preferred usage.

Regina Austin (1995), a critical race legal theorist, uses the term "female lawbreaker" in her discussion of black urban criminal life in the United States. Although she is less explicitly concerned with terminology, Austin's use of "female lawbreakers" signifies the instrumental and politically purposeful nature of some lawbreaking that is a theme in her article "The Black Community, Its Lawbreakers, and a Politics of Identification." Her use of this term helps to

highlight the ways that some black women actively resist a socio-economic system that perpetuates the exclusion of poor blacks from state institutions, policy and laws. Similarly, Monica Evans (1995), also a critical race legal theorist, provides an analysis of how American blacks are situated outside the law with her use of the term "outlaw culture" and "outlaw women." For Evans, "outlaw" signifies both the social positioning of black Americans and the actual behaviour that is "outside" the boundaries of the law. Conceptually, what is particularly helpful about both Austin's and Evans' analyses is the assertion that given the social location of some communities, lawbreaking is often a necessary part of survival. In addition, both "lawbreaker" and "outlaw" connote agency within the context of inequitable social conditions. However, in terms of actual discourse, "outlaw" carries with it a romantic and mythic connotation that may not mirror the reality of many women who break the law. In addition, "lawbreaker" seems to imply a purposeful intent to break the law which for some women may be the case but others, however, may be less intent on breaking the law as a means to an end, but do so as a result of a set of circumstances in which survival is dictated by a paucity of viable choices.

For the purpose of this paper, I will use "women in conflict with the law" because for me, unlike for Faith, this phrase does highlight the fact that many women are positioned in opposition to state social and legal structures. Although most categories inevitably result in totalizing identity, this phrase does the best job at reducing this risk by describing a *situation* rather than an individual identity or behaviour.

The Study

As is discussed later in this document, recent Canadian policy on federally sentenced women

constructs women's illegal behaviour as irrational and as a result of an inability to function independently. The concept of empowerment in this framework means teaching women to make better choices, to think more rationally, and to reject dependence upon men, drugs and the state. Correctional use of empowerment is synonymous with a liberal notion of autonomy that decontextualizes individuals from their environment and that perceives such constructs as independence, choice and free will as residing within individuals alone.

In an attempt to provide an alternative analysis of women's lawbreaking and alternative program and policy initiatives for women in prison, this study focused upon the relationship between women's experiences of oppression and women's lawbreaking. The purpose of this examination was to illustrate the social embeddedness of individual choice and decision-making. Integral to this project was an examination of how women function as willful actors in their own lives and the connection between acts of agency and lawbreaking. The analysis that emerged from this examination was a result of data collected from individual and group interviews with federally incarcerated women. In addition, this study involved a content analysis of correctional policy for women's imprisonment and interviews with various front-line correctional staff. These data sources were used to examine how "empowerment" of women in prison is conceptualized and how the needs of women in prison are defined. These findings were also compared to women's own lawbreaking narratives which provided a critique of current understandings of women's lawbreaking and imprisoned women's needs.

The following literature analysis elaborates the theoretical and conceptual framework of the present study, briefly touched on above. A review of the current literature about women's lawbreaking and prison program needs provides the conceptual context in which recent Canadian

correctional policy approaches to incarcerated women evolved. A critique of the limitations of this literature is followed by a selective review of feminist scholarship that carries potential for a less individualistic understanding of women's lawbreaking. The contributions of feminist political and moral theorists concerned with the intersections of race, class, gender and sexuality, inform the analysis advanced in this document.

CHAPTER ONE

CONCEPTUAL FRAMEWORK AND LITERATURE ANALYSIS

The following section is an analysis of four bodies of literature about women's lawbreaking and agency. It begins with an analysis of how women's lawbreaking is constructed in the empirical literature and how the needs of women in prison are defined. Second, the contributions and limitations of feminist criminologists' understandings of women's agency are considered. The third area of analysis is feminist philosophical theory and how these scholars conceptualize issues of *autonomy* and *choice*. This body of work is examined in light of how it might contribute to a more complex analysis of women's lawbreaking. The literature analysis concludes with an examination of theorists concerned with the intersections of race and gender oppression. An intersectional analysis is used to better conceptualize the effects of structural and systemic oppression in the lives of minority and poor women.

Research Studies on the Needs of Women in Prison: Self- Esteem and Empowerment

The overwhelming majority of research studies on women in conflict with the law are conducted on women serving prison terms. The research suggests that women in conflict with the law are incarcerated for mostly non-violent crimes; have experienced childhood physical and sexual abuse; have experienced battering in their adult relationships with males; are addicted to drugs and/or alcohol; are relatively young; have minimal formal education; and are from poor and minority backgrounds (Arnold, 1990; Gilfus, 1992; Bonta, Pang, and Wallace-Capretta, 1995; Sommers et. al., 1994).

These studies, with a few exceptions, tend to be quantitative and to focus upon the

programming and rehabilitative *needs* of incarcerated women. In accordance with prison mandates, whose purpose is to protect the public from further criminal acts, "needs studies" argue for programming and policies that are thought to reduce women's risk to re-offend. Therefore, needs that are seen as directly linked to criminal behaviour, termed in correctional lexicon as "criminogenic needs" (Bonta et al., 1995), are the targets of rehabilitation. Needs studies tend to focus on psychological impairment (Task Force for Federally Sentenced Women, 1990; Sommers, 1994; Singer, et. al. 1995; Bonta et al, 1995; Liebling, 1994; Harm, 1992; Carp and Schade, 1992; Ingram-Fogel, 1991), addictions and drug education programs (Gray, Mays and Stoher, 1995; Biron et al, 1995; Chandler and Kassebaum, 1994; El-Bassel, et al, 1995; Danner, et al., 1995; Prendergast, Wellisch and Falkin, 1995), parenting programs for incarcerated mothers (Hairston, 1991; Beckerman, 1994) and anger management and cognitive restructuring programs (Smith, et al. 1994; Sommers, Baskin and Fagan, 1994; Rucker, 1994). In general, women's needs are defined in terms of what they are "lacking": self-esteem, drug education, parenting and budgeting skills, and/or anger control.

Many of these studies have theoretical and methodological limitations in terms of how women's lawbreaking and needs are understood and measured. Individualistic perspectives that identify the cause of women's lawbreaking as low self-esteem and/or poor coping skills, lie behind much of the research on women in prison. These assumptions coalesce to define the needs of women in conflict with the law as predominantly psychological and individual, thus stripping away the context of women's lives both inside and outside of prison.

In their quantitative study of predicting recidivism among incarcerated females, Bonta, Pang and Wallace-Capretta (1995) explore predictors for re-offending. This study examines

prison programming to ensure that it is addressing the appropriate needs of female prisoners. The authors underscore the importance of matching programming to need in their assertion that "a budgeting course may help a single mother on welfare make ends meet but may not affect her views on the acceptability of crime for coping in life" (291). This statement suggests that a budgeting course does not address the cause of the crime, because the cause lies within the moral belief system of the woman herself. By suggesting that even if women are able to make ends meet they would still turn to crime because of cognitive or moral deficiencies, these authors separate individual behaviour from social realities.

Smith and colleagues (1994) also adopt an individualized approach that decontextualizes women from their social world. The authors of this study provided a three day workshop for female prisoners on strategies for managing and controlling their anger. The authors write that "if inmates are to improve their behaviour and mental health, they must learn how to manage anger more effectively" (172). The participants were monitored for when and how they became angry in an effort to teach them how to take responsibility for their actions (173).

Women in prison are viewed as lacking personal control (anger, budgeting, addictions). The fact that they have been convicted for illegal acts is evidence of their deficiencies and inability to *cope* with life. An individual deficiency model implies that the needs to be addressed by programming relate to gaining control over the *personal* factors that led to the crime and to increased coping skills. Programs are designed to teach women how to cope better.

An inability to cope is often viewed as being a result of women's negative self-image. Much of the literature refers to the low self-esteem of women in prison (Prendergast et al., 1995; Gray et al, 1995; Carp and Schade, 1992; Creating Choices, 1990; Chandler and Kassebaum,

1994), a problem that is perceived as a consequence of childhood sexual and physical violence. The knowledge that the majority of women in prison have suffered abuse during childhood and from adult male violence has led to a focus upon the emotional impact of such victimization. Extensive research within the fields of psychology and psychiatry has documented the long term affects that abuse experiences have on women's self-esteem. There is a suggestion in much of the research on women in prison, then, that low-self esteem is considered a "risk" factor for committing illegal acts. The Task Force for Federally Sentenced Women (1990) writes, for example, that low self-esteem can have disastrous consequences, including violence towards others and self-destructive behaviours. This assumption has also lead Carp and Schade (1992) to state that it is imperative for women in prison to improve their self-esteem in order to break the "self-destructive cycle" of being involved in violent relationships with men (157). Low self-esteem is thus defined as a criminogenic need.

Following from the interpretation and identification of criminogenic needs, is the assumption that these needs can be met within the prison context. Programs and policies are designed to 'empower,' educate, and support, all within the prison environment. Little consideration is given to the fact that interventions are taking place within a coercive and punitive environment. The effectiveness of programs within an oppressive disciplinary structure is rarely considered. (A study conducted by Lila Rucker (1994) is a notable exception. Rucker discusses the challenges of implementing an anger management program based upon cooperative philosophy within a coercive setting). Generally though, not only is the social location from which the women have come overlooked, but also the one in which they are currently living.

Many of the quantitative measurement tools used, for example, have been developed and

tested upon non-incarcerated populations. The prison environment often obscures the meaning of questions asked and the qualities the instruments intend to measure. For example, a needs study conducted by Singer, Bussey, Song and Lunghofer (1995) in an American women's prison used several measurement tools to assess the women's psycho-social needs. One of the instruments employed was the Multidimensional Scale of Perceived Social Support. Overall, the authors reported that women scored low on the social support scales (1995: 106). These scales asked questions regarding women's reliance upon family, friends and others for support in difficult times. However, the women completed this instrument while in prison, when they were separated from family and friends. In addition, friendships in the prison context may take on different norms, structures, and expectations, which might not be measured accurately by the instrument. It is thus difficult to assess the validity of such tests without somehow taking into account the women's current living environment.

Similar limitations can be seen in a study about an anger management program designed for imprisoned women (Smith, Smith and Beckner, 1994). When asked to recall situations that made them angry, participants said that they felt anger when experiencing "confrontations with staff", "cell shakedown and reassignments", "lack of visits and mail", or "when someone they trusted or loved hurt them or treated them unfairly". These issues are all related to the prison context and seem to suggest feelings of anger at being powerless in relation to institutional authority. The authors of the study, however, make little of the references to prison specific examples, nor do they address the issue of power imbalances these examples suggest. Instead, they recommend that when women inmates get angry they should use "breathing exercises to calm themselves", concentrate "on pleasant thoughts and positive imagery", and walk "away

from a conflict" for a "cooling down" (175). Likewise, a failure to confront women's relationship to their environment can also be seen in some drug use studies of incarcerated women (Chandler and Kassebaum, 1994). There is a refusal to acknowledge that drugs are easily obtainable in prison and that there are very real contradictions involved in institutional professionals offering addictions counselling within a punitive environment. For example, should a woman sincerely wish to deal with an addiction problem while in prison, she is required to openly discuss her method of obtaining drugs and her drug use patterns with her counsellor. In a prison, where individuals are charged and punished for possession and use of narcotics, honest communication with prison employees is a perilous activity. The fact that drugs are both obtainable and illegal in prisons, as well as in the community, may very well limit the success of addiction programming that does not attempt to confront these realities.

In general, programming and policy recommendations tend to ignore the power dynamics operating in the prison setting, that women are incarcerated to be punished, and that participation in programming is usually not voluntary. There is an assumption in the research on women's prison programming that not only should women be receptive to rehabilitative programming ("for their own good"), but that the goals, principles and operation of the prison are somehow benign. The prison system is viewed as a neutral, or even a supportive, structure. It is assumed to be an environment wherein women can heal; can cultivate an independence from drugs, from the state and from abusive relationships; can learn about the detrimental health effects of intravenous drug use; and can have their mental, physical and spiritual needs looked after.

A very similar perspective to that of the Task Force for Federally Sentenced Women is offered by Henriques and Jones-Brown (1998) in an article about empowering African-American

female prisoners. This article, which advocates a “a multimodal/dual empowerment approach” to helping African - American women prisoners, contains an inherent contradiction regarding the meaning and means of empowering women. Similar to the Task Force for Federally Sentenced Women, Henriques and Jones-Brown attempt to contextualize the lives of African-American women within their social and political locations. For example, the authors state that African-American women are highly over- represented in U.S. prisons, are subject to over- policing in minority communities, experience racial, sexual and class oppression, are overwhelmingly single mothers and experience unequal employment opportunities. Despite the assertion that African-American women face a myriad of social problems, the authors advocate an individualistic “treatment model” for these women. The central premise of the “multimodal/dual empowerment model” is that given all the obstacles poor African-American women confront, they “must become self-reliant or risk mental breakdown, incarceration or death” (316). Self-reliance entails developing the capacity to “make informed, responsible decisions” through “self-discipline, self-awareness, self-sufficiency, teamwork and positive change” (317). The implication behind this use of “empowerment” is that these women have few decision-making or coping skills and are dependent on men, welfare and drugs. They are, in essence, depicted as lacking agency to direct the course of their lives. The notion of dependency and lack of self-reliance resonates in both documents providing the entry point into a “treatment” model that provides an antidote to such afflictions: to raise self-esteem, “to sustain growth-producing relationships”, to move from a feeling of “powerlessness to empowerment” and to learn skills “essential to overcoming adverse socio-economic forces” (Henriques and Jones-Brown, 1998: 322-323).

One of the obvious contradictions with this approach is the idea that women can develop

self-reliance and positive self-images in isolation. There is an assumption that women's choices, decisions and identity are created independent of the social world and relationships. For example, although oppression is acknowledged as a stressor in the lives of marginalized women, the notion that some women do not possess the emotional and psychological fortitude to cope with oppression is implicit in this approach. In addition, the idea that women *have* coped, *have* functioned as agents, and may have developed creative and resourceful methods for survival does not enter into these types of models.

Both *Creating Choices* and the empowerment model for African-American women prisoners make an attempt to link race, class and gender marginalization to the reasons that women are incarcerated. Yet, a shift occurs when designing prison policy and programming that moves the analysis and intervention to the level of the individual, virtually ignoring the social factors the authors themselves claim greatly impact this population.

This notion of empowerment and its subsidiary component, low self-esteem, decontextualizes women from the social and political parameters of their lives. It locates the problem *and the solution* to the problem, within the individual woman herself. Integral to this process is the acceptance of, and adjustment to, "existing institutions and relations of privilege and oppression" (Young, 1994: 47). Which is to say, once women are taught to see their problems as originating within themselves, dominant social structures need not be challenged. It is not difficult to see how governments and social control settings, such as prisons, benefit from programming that encourages women to self-regulate. In fact, Barbara Cruikshank writes that self-regulation is the goal of state discourse on self-esteem and illustrates its connection with law and social control discourse. She quotes a 1990 California Task Force which writes that:

Self-esteem is the likeliest candidate for a *social vaccine*, something that empowers us to live responsibly and that inoculates us against the lures of crime, violence, substance abuse, teen pregnancy, child abuse, chronic welfare dependency and educational failure (quoted in Cruikshank, 1993:328).

Using a Foucauldian framework, Cruikshank writes that "self-esteem is a technology of citizenship and self-government for evaluating and acting upon ourselves so that the police, the guards and the doctors do not have to" (330). Prisons and other social control institutions, therefore, have a vested interest in accepting and perpetuating the notion that women's lack of self-esteem is the "cause" of their criminal behaviour.

Summary of Research Studies on Women in Prison: Self-Esteem and Empowerment

In summary, research on women in prison tends to view women's low self-esteem as one of the central causes of illegal behaviour. As typically prison programming is linked to what prison officials identify as a criminogenic need, women are placed into programs designed to psychologically empower them to feel better about themselves. Although some women may experience these programs as beneficial, the underlying philosophy is individualistic and decontextualizes women's behaviour from their social context. Factors such as systemic and interpersonal violence and racist, sexist and classist oppression, which may have influenced women's experiences and decisions, are ignored. Therefore, empowerment programming is directed solely at the individual without recognition that an individual sense of empowerment alone will not alter disempowering social conditions.

Second, the oppressive nature of the prison setting itself is generally not adequately considered. The role of professionals in maintaining the prison mandate inevitably impacts upon

their contradictory role as facilitators of empowerment and support. Henriques and Jones-Brown (1998) write that the use of correctional officers as facilitators of the “multimodal/dual empowerment” program “represents an interesting mixture of *supportive and disciplinary* measures”(italics added)(1998: 319). Thus the relations of dominance inherent in the officer/inmate dyad form the basis of this program. Hannah-Moffat (1997) writes that the discourse of empowerment adopted by Corrections Canada is designed to encourage women to take responsibility for their actions and their lives. She uses the term “responsibilizing” to refer to a process that “requires a woman to take responsibility for her actions to satisfy the objectives of the authorities and not her own” (193). The use of correctional officers as program facilitators helps to ensure the success of this process.

Lastly, the notion of women’s agency reflected in much of this literature is problematic. Women who come into conflict with the law are depicted as lacking self-esteem and self-reliance, coping and decision making skills and responsibility for their lives. The goal of rehabilitation is to promote women’s sense of themselves as agents. However, what agency tends to mean within this context is that women take responsibility as “agents” for their criminal actions. Agency becomes synonymous with responsibility. This is an individualistic notion of agency that severs women from the conditions in which they live. As Hannah-Moffat (1997) writes in reference to the policy for “woman-centred” prisons, this use of

... “agency”, clearly constructs the offender as accountable and responsible for her actions irrespective of victimization and structural impediments...It is this process that Corrections Canada terms empowerment (194).

Thus not only is the construction of women in conflict with the law as not having agency problematic, but the particular way in which this discourse defines agency functions as a method

of social control.

This research project examined how ideas about empowerment, self-esteem, and agency are circulated and enforced within a specific women's prison. Interviews with staff and prisoners and analyses of program documents and correctional policies were used to understand both how individualistic perspectives are constructed and the means by which they are used to regulate women prisoners. The research site chosen for this study is one of the women's prisons recently designed from the *Creating Choices* model. The correctional philosophy guiding its implementation is thus based on the above principles and provided fertile ground to explore the mechanisms by which a prison system attempts to promote women's "empowerment."

Feminist Criminology: Victimization And Agency

Recently, feminist theorists in Canada and abroad have begun to re-examine how women in conflict with the law are being constructed through feminist discourse. One of the debates has centred around the current emphasis on women's victimization experiences as an explanatory variable in female lawbreaking. Critics of victimization discourse assert that by emphasizing child and adult sexual/physical abuse experiences, women in conflict with the law are portrayed as passive and helpless victims of patriarchy, a portrayal that denies them of agency or resistance (Daly, 1992; Shaw, 1995; Sommers, 1995; Kendall, 1994; Hannah-Moffat, 1995; Faith, 1993). An understanding of agency is important for two main reasons. First, depicting women without agency has led to individualistic solutions to social problems. This can be seen most clearly in discussions about battered women, whose experiences of abuse are very often viewed as a result of their faulty personality, rather than as a result of the abuser's actions or the practices and

ideologies that sustain male violence (Mahoney, 1994). Second, without an understanding of the ways in which women resist and cope with oppression, women's behaviour is often viewed as irrational and/or aberrant.

The central problem the feminist criminological literature attempts to address is how to reconcile prevailing constructions of women in conflict with the law as weak, passive and helpless victims of abuse with notions of women as agents of lawbreaking behaviour. One strategy that theorists have developed to deal with this dichotomy is to view women's criminal behaviour as active resistance to victimization experiences. This perspective is helpful in that it allows women's crimes to be understood within a social context rather than as a result of an aberrant or faulty personality. Furthermore, viewing women's criminal behaviour as resistance can counter the image of helpless victim by pointing to the ways in which women act as agents even within oppressive circumstances.

In an effort to expose the ways in which a male dominated society oppresses women, it had initially been necessary for feminists to highlight the effects of such oppression. This was accomplished by revealing how women were victims of sexual domination which limited women's choices and freedoms. These efforts were in response to the liberal notion of the autonomous self (Mahoney, 1994) and to widespread denial about the extent of violence against women. However, perhaps because of the ways in which the idea of female victimization has been taken up through various professional and bureaucratic discourses, a shift from victimization to *victim identity* has occurred. The idea of a static victim identity is problematic because a social analysis that describes experiences in terms of identity, "rigidifies an individual's relationship with her social environment and history" (Bannerji, 1995: 88). She, in

effect, *becomes* her experience.

Equating victimization *experiences* with a victim *identity* perpetuates a sense that "once a victim always a victim" and reifies women's personality as weak, passive and helpless. One of the ramifications of victim identity discourse is that the site of inquiry becomes the victim herself - her behaviour and her psyche are viewed as the "cause" of her criminal activity. The reification of a victim identity fits nicely into an increasingly familiar discourse that denies a woman agency if she experiences victimization, and denies victimization if she experiences agency (Mahoney, 1994), thereby excluding the possibility of a dynamic between them. In contrast, a definition that describes victimization *as a dimension of experience*, rather than as an individual identity, might circumvent the problem of reifying the experience of victimization into a permanent state. Moreover, such a conceptualization would shift the focus from the individual to the social conditions that produce victimizing experiences. Understanding victimization as a dimension of experience might allow us to remain focused upon the social conditions, rather than the individual, as the problem.

In "Conceptualizing Violence by Women", Margaret Shaw (1995) attempts to challenge the notion of women as helpless victims by drawing attention to the ways in which they do not conform to our ideas about victimhood. Specifically, Shaw's article is a discussion of the limitations of the victim paradigm for understanding the complexity of women's own violent or aggressive behaviour. She argues that the "concern with the levels of violence against women runs the risk of oversimplifying the explanation of women's crime and violence by portraying women as "helpless" victims whose offending derives from that experience" (1995: 120). Shaw's description of the prisoners at the Kingston Prison for Women is an attempt to broaden our

understanding of women in prison beyond the victim paradigm. She writes:

What is clear is that many of the federally sentenced women do not present themselves as victims - without personality, resolution or self-esteem. There are a number of women with considerable strength, intelligence, many regrets for what happened, but a lot of determination, humour and anger (1995: 122).

In this passage, Shaw refutes the dominant notion of "victim" which renders it incompatible with such qualities as intelligence, determination and strength. In so doing, she exposes the fallacy that women who are victimized are one dimensionally defined by these experiences.

One of the challenges of exposing the fallacy of simplistic depictions of women as victims, is to avoid the tendency to posit victimization in opposition to agency. The victim/agent dichotomy perpetuates the notion that victimization experiences are inconsistent with resistance and self-determining action. In so doing, women's identity as victims becomes static which prohibits the possibility of understanding women in conflict with the law as both victimized *and* strong and resilient. Evelyn Sommers, a Canadian psychologist, attempts to deal with the dichotomy of women as passive victims or independent actors, by drawing attention to the ways in which women act to *resist or cope* with victimization experiences. In her study of incarcerated women in British Columbia, Sommers attempts to illustrate the interaction between victimization experiences and acts of resistance. Sommers argues that social explanations of women's crime fail to account for women's agency because they do not deal with women's subjective or psychological world. Thus, she writes, "to ignore the psychological aspects of an entire group is to miss the diversity and depth that leads to understanding" (1995: 23). Although her stated goal is to reconcile sociological theories (dealing only with structural issues) and psychological theories (that decontextualize individuals from their social environment (15),

Sommers' own analysis remains individualistic. By privileging a psychological model, Sommers places women's "dysfunctional" families at the centre of her analysis, while structural elements of oppression fade to the margins.

Sommers uses a "relational theory" of women's psychological development as a framework for understanding women's routes to lawbreaking.¹ She draws upon the work of feminist psychologists at the Wellesley Stone Centre whose "relational theory" adopts the idea that "... a growing capacity for empathy is the central organizing feature of women's development. The capacity for empathy begins with the early mother-daughter relationship and develops through practice in relationships" (1995: 10). In relational theory children, particularly girls, develop the capabilities to be confident, empathetic and interdependent, as a result of early mother-child experiences. The use of relational theory places an assumption behind Sommers' analysis: that women in conflict with the law have had severed childhood relationships with female caretakers which resulted in a failure to receive or develop empathetic responses. In reference to women in conflict with the law, Sommers states that the "absence of mutually empathetic relationships in their lives" means that they "did not develop a sense of themselves as effective in the world. In desperation, they tried whatever means were available to develop a sense of their own (false) power" (20). Sommers examines women's stories about their criminal involvement within this framework and constructs their illegal behaviour as attempts to find a

¹Sommers is not alone in her application of a psychological relational theory to women's lawbreaking. See also Covington, Stephanie (1998). *Women in Prison: Approaches in the Treatment of our Most Invisible Population*. In Harden, J. & Hill, M. (Eds.). *Breaking the Rules: Women in Prison and Feminist Therapy*. Binghamton, NY. Harrington Park Press. And Zaplin, Ruth (Ed). (1998). *Female Offenders: Critical Perspectives and Effective Interventions*. Maryland: Aspen Publications.

sense of personal empowerment. The implication embedded within this theory is that not only did these women not receive empathetic responses from their caretakers but they also did not develop the ability to *be* empathetic. Although Sommers does not make much of this implication, it does suggest that women's lawbreaking evolves from impaired moral or caring capacities. In addition, her use of psychological theory and discourse blames women's mothers for their criminal behaviour. Very little attention is given to the actual ways in which women's lives are impacted by structural and systemic oppression, beyond Sommers analysis of the emotional impact of childhood abuse and neglect.

What is useful, however, about Sommer's analysis is precisely her suggestion that a dynamic exists between victimization experiences and women's active attempts to exert control over their lives. However, her analysis of women's agency is one that privileges a subjective/psychological perspective. Her argument is that women in conflict with the law cope with victimization by seeking opportunities to *feel* in control of their lives. Women's agency is thereby reduced to a subjective feeling or an internal state. The further implication in this analysis is that *feelings* of disempowerment, rather than *actual* disempowerment, are responsible for women's lawbreaking behaviour. Crime is thereby seen as a misguided attempt to find a sense of empowerment and thus excludes the possibility that criminal behaviour may be an exertion of control over some aspect of life. In other words, there is no possibility that criminal behaviour can ever be a rational attempt to change or impact one's circumstances.

While Sommers does admit that many women are disempowered through interpersonal, structural and systemic means, she still maintains that a growth enhancing home environment can function as an inoculation against personal feelings of disempowerment.

When women are empowered through mutually empathetic relationships, they are able to interact with the larger world *as though it were a growth fostering environment* (italics added) (120).

It is not difficult to see how this type of analysis quickly leads to individual solutions to crime - solutions based upon increasing women's feelings of self-worth. Focussing exclusively upon feelings of disempowerment obscures the fact that many women have little social, economic, and political power.

Kathleen Daly (1992) sets out to explore the rationality or meaning behind women's lawbreaking by also attempting to understand women's criminal behaviour as an active response to victimization experiences. Daly's main concern in "Women's Pathways to Felony Court: Feminist Theories of Lawbreaking and the Problems of Representation" is the implication that victim discourse has upon the issue of women's *responsibility* for their actions. This is an important issue to examine because the idea of responsibility or culpability lies beyond much theorizing about women's agency. Daly asks:

... where does victimization end and responsibility for acts that harm others begin?...A seamless web of victimization and criminalization tends to produce accounts which focus on victimization and leave little agency, responsibility, or meaning to women's lawbreaking (48-49).

Daly investigates the "black box" that lies between victimization and criminalization. One of Daly's contributions is the attempt to unravel the complexity of women who are both victimized and victimizers. Daly begins to expand the dichotomy of victim and agent by borrowing Mary Gilfus's term "blurred boundaries" (Daly, 1992:48). Blurred boundaries refers to the interactive relationship between women's victimization and aggressive behaviour, proposing that the

dynamic is more complex than the victim/agent dichotomy suggests. Daly states that she is raising these questions for discussion rather than to offer definitive answers or solutions. Instead, she wants to open up the space between victimization and criminal behaviour to expose the idea that the relationship may not be as simplistic as was once thought.

However, Daly adopts an individualistic and psychological perspective that ignores women's social context. She perpetuates the tendency to look to women's personalities for a deeper understanding, at the expense once again of examining the social conditions influencing women's behaviour. In so doing, Daly produces an individualistic and pathologizing account of women whose crimes are aggressive or violent. In effect, she constructs a psychological profile of "the criminal woman."

Having suffered abuse as children or adolescents, girls or young women not only run away from home to survive on the streets, they may also be emotionally crippled. Psychological problems, addiction to alcohol, and a violence-prone temperament coalesce to form a tough, violent, or abusive attitude towards others... (45-46).

Daly is interested in developing an understanding of agency that acknowledges women's *responsibility* for criminal actions. However, her construction emphasizes individual deficiencies as the cause of crime and lacks a contextual analysis in which to understand women's violence. In her attempt to counter the stereotype of the helpless victim, Daly embraces another stereotype: that of the psychologically/disturbed female lawbreaker.

An individualistic model of criminal behaviour ignores social and structural influences, and constructs women's crime as being a "symptom" of mental instability (Kendall, 1994; Hannah-Moffat, 1995). Although currently placed within feminist analytical frameworks, this approach to women in conflict with the law joins the well-established tradition of pathologizing

women's crime. Carol Smart, a British criminologist, writes that the move towards "treatment" in women's prisons reflects an assumption that "...to deviate in a criminal way is 'proof' of some kind of mental imbalance in women" (Smart, 1995:27). Currently, the only significant difference from early models of women's criminality is that women's *victimization*, rather than their biology, is seen as "causing" their criminality.

Several authors have questioned the advisability of attempting a feminist analysis within the positivistic tradition of criminology (McRobbie, 1982; Howe, 1994; Smart, 1995). Adrian Howe, paraphrasing Angela Robbie's work, writes that

...trying to 'do' feminist criminology by emptying out the sexism and staying in the criminological theoretical framework...led to the "reduction of the whole question of women, crime and social disorder to the lonely figure of the female offender" (McRobbie, 1982: 218, cited in Howe, 1994: 159).

The "lonely figure of the female offender" is represented through current discourse as an emotionally unstable victim of patriarchal abuse. Efforts to expose the violence experienced by many women in conflict with the law has had several inadvertent consequences such as an inability to move beyond the victim/agent dichotomy. Although it is important that victimizing experiences be exposed in order that they be recognized as *social problems*, discussions are often reduced to the psychological effects of such abuse and the "treatment needs" of women in conflict with the law to recover from the trauma. As has been discussed, this leaves us with a construction of women as psychologically ill, leaves open questions of responsibility and agency, and depicts women in conflict with the law as helplessly unable to make "meaningful choices" (Task Force for Federally Sentenced Women, 1990). In addition, this construction confuses victimizing experiences with victim identity. Creating a victim *identity* leads to a focus upon the

qualities of the individual rather than upon the structures and institutions that oppress individuals and communities. Many of these notions of women in conflict with the law underlie much of the research on prison programming for women aimed at altering criminal personalities through empowerment and self-esteem courses. Lastly, it is not clear from this literature what precisely constitutes agency. Sommers is the clearest on this topic but, as stated above, her analysis is weakened by defining agency in exclusively psychological terms. In the works by other theorists, agency means variously, resistance to victimization, responsibility for illegal actions, and/or acts of aggression or violence.

This study used the work of feminist criminologists as a backdrop against which to investigate the relationship between women's victimization, agency, and lawbreaking. One cannot ignore the prevalence of childhood and adult violence experienced by women in conflict with the law and the possible immediate and long term impact of these experiences. It is equally important to acknowledge that most children and women are not passive witnesses to this abuse. Although the body of work reviewed above tends to describe agency as a psychological characteristic, this study expanded the idea of agency to also include active responses and resistance to abuse. Similarly, victimization as conceptualized solely in terms of patriarchal constraints on women's sexual and physical lives was expanded to include oppression due to race, class and sexual orientation. Generally, this study uses the term *victimization* to refer to abuse and violence, and *oppression* to signal systemically structured gender, race, sexual and class inequities. Conceptually, however, victimization and oppression refer to similar practices of violence and marginalization.

The following section examines the work of several feminist scholars, who although not

explicitly concerned with women's lawbreaking behaviour, do address the problem of how to expose the oppression that circumscribes women's lives, while also exposing the myriad ways in which women are agents within the context of these constraints.

Feminist Political And Social Theory: Agency And Autonomy

Discussions about women's agency within feminist theory reflect the challenges of trying to expose the limitations that gender oppression places upon women's lives and choices while also revealing how women resist, challenge, and cope with these limitations. One of the underlying themes in this body of literature is the necessity of challenging liberal notions of the autonomous, independent self. Liberal notions of autonomy that depict individuals as isolated from their social context have contributed to obscuring women's oppression (Hoagland, 1988; Abrams, 1995; Mahoney, 1994; Clement, 1996). It has therefore been advantageous for feminists to challenge this aspect of liberalism in order that the constraints placed upon women's freedoms be exposed, challenged, and removed. This challenge has particular relevance for understanding the behaviour of women in conflict with the law. As stated earlier, women's crimes are typically individualized and pathologized. Women who break the law are deemed deficient in part because they are thought to have failed to live independently and autonomously. The authors reviewed in this section reject the notion of an independent actor whose autonomy renders his/her actions freely chosen. Instead, they suggest the need to understand women's behaviour in relation to their social context. For many women, this context is one in which inequities and oppression limit the availability of viable choices. Thus, these women's choices, interactions, resistance, and/or capitulation occur within the context of oppression and social inequalities. Viewed within

this framework agency is not seen as oppositional to experiences of oppression, but as the action exerted within *the context* of oppression. This perspective allows for a more dynamic construction of women's agency that moves beyond the victim/agent dichotomy.

By acknowledging that women's experiences and decisions take place within structural and systemic inequalities, we also acknowledge that women's *political* agency, the actual power to affect social and political change, is limited by oppression. With this understanding as the backdrop we are then better able to understand the individual or personal impact of such oppression; such as the impact of oppression on women's development of *subjective* agency. As stated earlier, focusing exclusively on women's experiences of subjective agency without an overarching analysis of the oppressive circumstances in which this sense of agency develops, can lead to individualistic analyses that obscure the impact of oppression.

Victim/Agent Dichotomy

Feminist theorists concerned with developing a theory of women's agency under oppression must confront the prevailing dichotomy that positions victimization in opposition to agency. As Martha Mahoney (1994) states, this dichotomy is so embedded within Western liberal thought it is difficult to dislodge. Mahoney writes:

In our society, agency and victimization are each known by the absence of the other: you are an agent if you are not a victim, and you are a victim if you are in no way an agent. In this concept, agency does not mean acting for oneself under conditions of oppression; *it means being without oppression*, either having ended oppression or never having experienced it at all (1994: 64).

Feminist theorists writing about women's agency generally respond to this prevailing dichotomy by pointing out its inadequacy for understanding the complexity of women's lives under

oppression. For example, in her essay "Victimization or Oppression? Women's Lives, Violence, and Agency" Mahoney argues that liberal notions of victimization and agency pose distinct problems for understanding the dynamics of violence against women. Traditionally, discourse about violence against women has adopted the liberal notion of agency that neglects the impact of oppression. This notion underlies the "blame the victim" approach to women who have been battered and/or sexually assaulted. More recently, in an effort to expose the dynamics of male oppression, the pendulum has swung to the other side of the victim/agent dichotomy by focusing predominately upon women's victimization. Feminist theorists have recently responded to the risks of over-emphasizing women's oppression when describing the constraints placed upon women's ability to be self-determining. In particular, they have argued that excessive use of victim discourse denies women's agency. Current discussions about women's agency reflect the problem of dichotomizing women either as autonomous independent actors, thus blaming them for what befalls them, or conversely as passive and helpless victims of oppression. Mahoney discusses the problems that the victim/ agent dichotomy poses for battered women. She points to the limitations of both an over-reliance upon victimization experiences that ignores women's agency, and over-emphasizing women's agency at the expense of ignoring oppression. First, the emphasis on women's victimization has led to the tendency to describe women in terms of the harm done to them. That is, women's identity becomes fixed and composed of those characteristics associated with being a victim, such as weakness, helplessness and passivity. This perspective invites individualistic solutions to social problems such as the use of individual therapy as the primary intervention for battered women (Mahoney, 1994:63).

Secondly, Mahoney raises the complex issue of how to define women's agency. Using

the example of women in violent relationships, Mahoney challenges the common tendency to view women's exit from the relationship as the only viable example of agency. This tendency, she suggests, obscures the very real attempts by women to stop the violence, while also trying to maintain the relationship. Furthermore, it ignores the reality that a woman's exit from an abusive partner is frequently met with an escalation in his level of violence. Defining agency only in terms of exiting an abusive relationship ignores the social factors that often make leaving the relationship difficult. In other words, this conception of agency is premised on the idea that the only thing limiting a woman's freedom is her choice not to leave her violent spouse. Mahoney states that this notion reflects an individualistic "concept of agency as the functioning of a wholly mobile, autonomous, individual, free actor" (78). The result of this construction for battered women is that their failure to leave an abusive relationship is viewed as the problem, rather than the abuse itself. Thus, similar to approaches to incarcerated women, battered women's emotional and psychological life is targeted for change, leaving the abuser and the ideologies and structures that condone violence unchallenged.

As stated above, in many research studies on women in prison, women are viewed as failed agents: they are seen as lacking the skills or mental health to function autonomously in society. Specifically, they lack the self-esteem necessary to make sound judgements and decisions. Feminist criminologist's attempts to expose the social conditions that limit women's choices, in addition, are often focused on women's lack of subjective agency: the feeling that they can control their lives. Although lack of self-esteem is not viewed as an inherently occurring flaw, it is connected to the impact of abuse on women's psychological functioning. Thus these approaches to women in conflict with the law are also individualistic in focus and scope.

Mahoney's analysis is a helpful starting point from which to understand the interaction between victimization experiences and women's active responses without focusing exclusively on women's psychology. Her analysis examines how oppressive conditions circumscribe but do not prevent women from making choices and resisting. Furthermore, Mahoney states that women's own self-definitions or subjective experiences of self are also defined within the victim/agent dichotomy. That is, prevailing concepts of victims and agents that render the two incompatible with each other, make it difficult for women to define themselves (62). For example, Mahoney suggests that the stigma attached to being a victim influence some women to deny the existence of abuse in their relationship. Conversely, women may not be able to view themselves as capable agents if notions of agency mean being free of abuse and victimization. The victim/agent dichotomy then, poses both theoretical obstacles for understanding violence against women as well as challenges for women's self-definitions.

Maria Ashe and Naomi Cahn (1994) also examine the inadequacy of the victim/agent dichotomy for understanding the dynamics between women's oppression and women's agency. In "Child Abuse: A Problem for Feminist Theory," Ashe and Cahn (1994) discuss the difficulty feminist theory has in dealing with abusive or neglectful women. Both authors are practising lawyers whose work involves defending mothers charged with child abuse or neglect. Their discussion is informed by the contradictions and difficulties of working with these women and the "feelings of frustration, horror, or denial outside of any framework that assists either our exploration of their experiences or our exploration of our own experiences in representing them" (191). Ashe and Cahn challenge the concepts of the "good mother" and the "bad mother" as a form of bipolarizing women as either victims or agents. In response to popular constructions of

motherhood, the authors write that:

Both the model of the bad mother as autonomous, powerful, fully responsible evil-doer, and the countervailing model of her as helpless victim create barriers to our respectful understanding of women whom we experience as disturbing and challenging (174).

Much of the problem, they suggest, lies in the social construct of the "bad mother" and the difficulty feminist theories have in dealing with this figure. Similar to other theorists, Ashe and Cahn are searching for theoretical resources that do not equate moral agency with an autonomous actor free of oppression and that can conceptualize women's behaviour within the context of social inequities. One site in which they illustrate the limitations of liberal notions of victimization and agency is within legal and psychiatric discourses. They point to the discursive constraints within the judicial system, for example, that force women charged with "bad mothering" to shape their defence through oppositional terms. Thus, state Ashe and Cahn, "women alleged to have abused or neglected their children are typically unable to self-define except by directly denying what has been alleged, by asserting its opposite" (192). This type of oppositional discourse allows little room for complexity, ambiguity, or contextualization.

Ashe and Cahn suggest that the theoretical framework that provides the most potential for "new directions for interpreting the intersections between violence against women and violence by women" (189) is feminist postmodernism. They cite literary examples that illustrate the complexity of women's lives as one example of how a convergence of "multiple voices" and perspectives can expand our understanding of abusive women - stories in which "there are mothers whose apparent destructiveness cannot be seen simply as 'evil,' 'incomprehensible,' or 'crazy'" (172). They call for similar narratives that "might begin to dislocate the emotional and

moral binarisms that impair our understanding of abusive parents" (192) and that counteract the psychiatric discourse so often used to describe abusive or neglectful women. This version of feminist postmodernism is one that contextualizes the use of multiple perspectives against the backdrop of social, political, and economic conditions of violence. Oppression and violence are viewed as the context in which these narratives are situated. Similarly, they raise the question of whose narrative is shaping our notions of victimization and agency?

Ashe and Cahn confront an issue that is rarely explicitly voiced in feminist theorizing. What is particularly helpful in their analysis is the assertion that feminists can and should attempt to deal with women's behaviour that does not fit into either the category of "caring" women or that of women as victims, but that questions how to understand women's actions within the context of oppression. Although these authors raise important questions and critiques, they do not offer concrete solutions. They do not, for example, offer alternatives to the "oppositional" discourse of law and psychiatry that they critique, beyond an emphasis on multiple perspectives. Unlike Mahoney, who redefines the terms from which to understand women's agency within battering relationships, Ashe and Cahn offer few strategies for a reconceptualization of women's agency that moves beyond liberal notions. Nonetheless, their analysis does call into question prevailing images of abusive women and urges theorists to develop a more complex understanding of the dynamic between women's oppression and women's own oppressive behaviour.

Kathryn Abrams (1994) also deals with the interaction between women's victimization and agency. Like Mahoney, Abrams advocates a reconceptualization of women's agency that counters both the liberal notion of autonomy and the reification of women's identity as victim.

This work underscores the risks of emphasizing women's subjective sense of agency without an overarching conception of how this sense is circumscribed by women's limited political agency or social power.

In her article, "Sex Wars Redux: Agency and Coercion in Feminist Legal Theory" Abrams develops the concept of "partial agency" as a way of reconciling theories of women's victimization with theories about women's resistance. Abrams applies her analysis to how legal discourse shapes our understanding about violence against women. Abrams suggests that we need to redefine what constitutes women's *resistance* to sexual violence because liberal notions of the autonomous self render these strategies invisible. In rape cases, for example, women are asked to demonstrate how their freedom or agency was entirely compromised. In other words, they are required to demonstrate how they were coerced. Abrams suggests that in order to counter the victim/agent dichotomy, we need a construction that views women as "neither wholly empowered, nor wholly incapacitated" (363) individuals. Abrams describes this state as "partial agency":

Acknowledging partial agency means looking for responses outside the range of the autonomous liberal subject or the wholly dominated victim, responses consistent with the broad notion that women strive to affect their environments and direct their lives, even when their chances of doing so are limited by structures or relationships to oppression (366).

The implication of this analysis is that women are viewed neither as helpless victims nor as free actors. Instead, there is a constant interaction between victimization and resistance. Furthermore, this approach moves away from women's personality characteristics to an examination of the disempowering context in which her actions takes place.

The analysis offered by feminist agency theorists underscores the importance of

understanding women's context as one in which options and choices are circumscribed by women's limited social power, or political agency. This notion challenges the prevailing concept of agency that views individuals as equal and independent actors. Recognizing that inequalities exist, and that women's lives are circumscribed by oppression, has further implications for the notion of *choice*. It is not that women merely feel they have no power to make appropriate choices, as is suggested by the theory that they lack subjective agency, but rather that the choices available to them are limited.

Relational Autonomy and The Concept of Choice

Feminist scholars within the field of philosophy have extensively critiqued traditional philosophical accounts of autonomy (Brison, 1997). One critique is that the ideal of the autonomous subject inherent in traditional philosophy as a completely independent and self-sufficient being ignores the importance of relationships and social context. As an alternative to traditional concepts of autonomy, some feminists have advocated a "relational concept of autonomy, one that treats social relationships and human community as central to the realization of autonomy" (Brison, 1997: 40). This theory has commonalities with a *relational theory of women's psychology* which Sommers (1995) applies to women's lawbreaking. However, a theory of *relational autonomy* differs in its move beyond interpersonal relationships and psychology to the wider social structures in which individuals operate. A relational theory of autonomy counters the liberal notion of personhood that views autonomy as an inherent quality of all individuals, regardless of social location. This theory argues that individuals, by virtue of living within social contexts in which material resources, safety, relationships, and opportunities

are inequitably structured, must *develop* autonomy. Although all individuals possess the "capacity" to be autonomous, this capacity is either fostered or undermined through various types of relationships (Nedelsky, 1989: 24-25). Autonomy, then, develops within the context of interpersonal and structural relationships.

Relational autonomy has implications for how we conceive of *choice*. Sherwin (1998) writes that the centrality of social conditions in a relational theory of autonomy helps make visible the impact of oppression on a person's choices. This conception of autonomy

...has the advantage of allowing us to avoid the trap of focusing on the flaws of the individual who is choosing under oppressive circumstances... for it is able to recognize that such choices can be reasonable for the agent. Instead, it directs our attention to the conditions that shape the agent's choice and *makes those conditions the basis of critical analysis* (italics added) (Sherwin, 1998:33).

Relational autonomy theorists acknowledge that even under conditions of oppression, individuals function as agents; they make choices. It is the conditions that circumscribe and delineate the options and nature of the choices, that relational theory allows us to examine.

This is an issue that political philosopher, Sarah Hoagland (1988) explores in her chapter "Moral Agency and Interaction" in *Lesbian Ethics*. Hoagland's project in this chapter is to analyse how marginalised women internalize and replicate ideologies of dominance within lesbian communities and develop a resistance to this replication. In her analysis of how lesbians make choices and interact with one another Hoagland attempts to redefine traditional philosophical notions of moral agency and free will to develop a theory of moral agency under oppression. One of the central concepts of Hoagland's piece is the idea of *choice*. Moral agency involves being held responsible or accountable for one's actions and generally reflects the idea

that one's actions are freely chosen. For Hoagland, oppression is the context in which marginalized people make choices and although "a person may physically perform certain acts, may actually make certain choices, she nevertheless may be coerced in that her options are manipulated by those who have power over her" (211). Hoagland is not concerned with excuses or blame, but with understanding what it means to be an agent within oppressive circumstances. Her discussion avoids the tendency to dichotomize notions of victims as helpless and passive with that of agents as powerful and independent. People who are oppressed and marginalized are often subject to the will and control of more powerful individuals, institutions and policies. Such individuals function as agents within a context of domination and subordination.

Hoagland's central thesis in this chapter is that although the oppressed regularly function as agents, their ability to do so is constantly undermined by dominant ideologies, systems and structures. She calls this undermining "demoralization." Hoagland's concept of demoralization does not only refer to a subjective internal state but rather to "the undermining of someone's ability to make choices and her ability to perceive herself as being able to make choices, even in difficult situations" (213). She sees this undermining as occurring both at the level of social and political structures and at a more personal level that involves internalizing dominant values. Demoralization is thus the act of limiting people's choices and perpetuating relations of dominance. Oppressed individuals can either capitulate to this process, thereby perpetuating disempowering structures and behaviours, or conversely can resist them. The significance of "demoralization" is the idea that choices available to marginalized people are determined by those who hold social and political power. It is possible, then, that individuals with less power may have to choose between a variety of options, none of which adequately reflect their best

interests. Hoagland's discussion challenges notions of autonomy and agency that view individuals as separate from their social conditions. In accepting oppression as a pervasive condition that impedes people's power and the availability of choices, she challenges liberal ideas of autonomous individuals, and provides a version of agency that avoids individualism. In addition, she avoids dichotomizing victimization with agency, by depicting marginalized people as actors rather than as solely acted upon.

In much of the feminist literature agency and autonomy are often employed synonymously. Generally agency is taken to mean *the act of making a choice* and autonomy to mean *self-governance* or self-determination (Nedelsky, 1989; Clement, 1996; Griffiths 1995; Sherwin, 1998). However, Sherwin suggests that equating these two terms with one another renders invisible and perpetuates oppression. She writes that "...when we limit our analysis to the quality of an individual's choice under existing conditions...we ignore the significance of oppressive conditions" (33). Sherwin distinguishes *agency* from *autonomy* in an attempt to redefine conventional understandings of autonomy in a way that accounts for structural oppression. *Agency* is therefore defined as the making of a reasonable choice (Sherwin, 1998: 32-33). *Autonomy* or *autonomous action* refers to a condition in which an individual is able to make choices outside those made available by the conditions of oppression thereby being able to "to refuse the choices oppression seems to make nearly irresistible" (Sherwin, 1998: 33). Sherwin's distinction between agency and autonomy enables us to view women as agents while also examining the social and political context in which they are acting. Sherwin argues for a relational notion of autonomy that politicizes individual choices by making visible "the impact of oppression on a person's choices as well as on her very ability to exercise autonomy fully" (33).

Acts of rational agency are therefore different from “genuine autonomous behaviour”.

Self Identity and Self-Esteem

Feminist autonomy theorists who adopt a relational perspective also explore the development of self-identity within the context of oppression. Two aspects of this exploration relate to the notion of the self as socially situated and the impact that oppression has on feelings of self-worth and self-esteem.

In contrast to traditional philosophical accounts of the self, feminist autonomy theorists recognize that one’s sense of self develops through social interactions, both personal and political (Nedelsky, 1989; Griffiths, 1995; Sherwin, 1998). From this perspective, one can not help but connect individual identity development with interpersonal and socio-political influences. Griffiths (1995) writes that self-esteem is not only undermined or fostered through interpersonal relationships but that it is also influenced by social groups, structures, and institutions personally unknown to the individual (120). She argues that experiences of social acceptance and exclusion influence the way that we self-evaluate and as such self-esteem is inherently political. For Griffiths self-esteem is influenced in two ways: through personal experience and relationships with others and through exclusions from or belonging to groups that society accords varying degrees of worth and status. Griffiths’ “politics of self-esteem” challenges a concept of self-esteem that does not consider the impact of oppression on the evaluation of one’s own self-worth.

Sherwin (1998) employs a similar theory of the self within the context of relational autonomy. She uses the concept of “internalized oppression” to illustrate one of the ways that

degrees of social powerlessness can affect feelings of self-worth and undermine one's ability to be autonomous. Internalized oppression is particularly problematic for the development of autonomy because "agents lose the ability even to know their own objective interests" (36). Internalizing dominant belief systems that devalue one's own experiences not only impacts self-esteem but aids in the perpetuation of these destructive notions. In addition, it prevents individuals from reflecting on the ways in which their autonomy is limited and the mechanisms by which their subordination is maintained.

Situating self-identity and self-esteem politically allows for solutions beyond individual self-esteem raising exercises to create autonomy. Acknowledging that self-esteem is inherently political as well as personal means that changes in relationships and structures must occur in order to foster the self-identity and autonomy of those belonging to oppressed groups. As Nedelsky writes,

To be autonomous a person must feel a sense of her own power (which does not mean power over others), and that feeling is only possible within a structure of relationships conducive to autonomy (1989: 24-25).

In addition, it is necessary to expose the ways in which current relationships are structured to undermine autonomy and self-worth, an act that in itself may be empowering (Clement, 1996; Griffiths, 1995; Sherwin, 1998). Thus this framework moves beyond individualistic analyses of self-esteem that collude in the perpetuation of oppressive forces by ignoring their existence and impact. Instead, "a politics of self-esteem" recognizes the role that community and social arrangements play in the development of self-worth and offers solutions that involve exposing, challenging, and restructuring such relationships.

Summary of Feminist Philosophical and Social Theory: Agency And Autonomy

Feminist theorization about women's agency in the context of oppression points out that the victim/agent dichotomy reflects liberal notions of agency that are inadequate for understanding women's lives. This dichotomy is problematic in two ways. First, it perpetuates the idea that victimization is incompatible with agency, thereby reifying women's identity as "victim" and inviting individualistic solutions to social problems. The victim/agent dichotomy also obscures the active ways in which women resist oppression. Since being a victim is seen as incongruous with being an agent, women's behaviour is only seen within the victim paradigm. Women are thus viewed as being without agency because being an agent means being free from oppression.

This literature also challenges individualistic notions of free will and choice that imply the same opportunities and resources are equally available to all people. Sarah Hoagland (1988) is particularly helpful in this regard. Hoagland's analysis of how available choices are determined and limited by those with power highlights the impact that structural inequalities have on individual lives. Moreover, she points to the fact that the oppressed are often faced with limited options for survival, none of which may actually reflect their best interests.

Relational autonomy theorists expose how liberal constructions of autonomy underlie debates about women's agency. This work helps to redefine autonomy from a quality inherent in all individuals to a capacity that is only possible within certain structures and relationships. The ability to be autonomous or self-determining is not a universal quality as people are accorded varying degrees of autonomy as a result of their social location.

Many relational autonomy theorists describe the impact that oppression may have on

women's subjective sense that they can make self-determining choices. Self-esteem develops within the context of an individual's social environment. Theorists such as Griffiths (1995) help to politicize self-esteem by drawing links between subjective experiences and social positioning.

Attempts to find a direct causal link between victimization experiences and women's criminal behaviour have generally resulted in an individualistic and psychological analysis. This is in large part due to the tendency to focus on the psychological impact of abuse, rather than on the abusive conditions themselves. Furthermore, women in conflict with the law are generally thought to have made poor choices as a result of the emotional damage of abuse. Feminist revisioning of the victim/agent dichotomy, liberal assumptions about autonomy, and the relationship between oppression and choice, are used in this study to develop alternative understandings about women's lawbreaking. The ideas generated within this body of scholarship challenge the common notion that women in conflict with the law have simply made bad choices or are unable to cope with life. Instead, they suggest the possibility that women's lawbreaking is related to restricted and inadequate options for survival.

Although the authors reviewed above theorize structural/systemic oppression in a general way, they tend to privilege gender as their primary analytic lens. In contrast, the following theorists centre gender *and* race and explicate how these forms of oppression intersect to produce exclusion and marginalization. The *intersectional* approach to understanding racial and gender oppression also has implications for a non-reductionist analysis of women's agency.

Theorizing Race and Gender: Systemic Oppression and Agency

Many research studies note that the majority of women in conflict with the law come from low

socio-economic backgrounds and the over-representation of minority women in prisons in Canada and the United States (LaPrairie, 1993; Carp and Shade, 1992; Ingram-Fogel, 1991; Singer, Bussey, Song and Lunghofer, 1995; Hill and Crawford, 1990). In Canada, for example, Aboriginal people comprise about two percent of the entire population. However, Aboriginal women generally comprise about thirteen percent of the population of federally sentenced women. The figures are even more dramatic in the rates of Aboriginal women incarcerated provincially (Royal Commission on Aboriginal People, 1996). Although the impoverished and minority status of imprisoned women is often cited in the research, this fact is rarely explored beyond a cursory acknowledgement of these demographics.

Although some studies by feminist criminologists centre a gender analysis in their work on women in conflict with the law, very few studies have been conducted that apply an intersectional analysis of race, class and gender. Those studies that do consider the impact of gender, race and class oppression upon women's criminal behaviour provide helpful starting points for considering the relationship between victimization and agency that do not render these concepts incompatible with one another (Gilfus, 1992; Hill and Crawford, 1990; Widom, 1989; Arnold, 1990; Comack, 1996; Richie, 1996; Maher, 1997). In addition, some of this literature reflects a shift from the notion of the *criminal woman* to the idea that women's resistance to oppression is *criminalized*.

Several studies examine the influence of early victimization experiences on women's later involvement in criminal behaviour. Mary Gilfus's (1992) often cited study, for example, analyses the life histories of twenty black and white incarcerated women in the United States. Gilfus traces the trajectory from victimization to imprisonment through women's life histories.

One of Gillfus' conclusions is that young women's resistance strategies to abuse in the home are criminalized. For example, she found that the women in her study survived severe and persistent childhood abuse to which they responded by physically running away and/or using drugs to numb the pain. Gillfus states that engaging in illegal work in order to survive on the streets links victimization to criminalization thus "blurring the boundaries between victim and offender" (85). The concept of blurred boundaries reflects a more flexible understanding of women in conflict with the law that does not reify their identity within a victim paradigm. In addition, it provides an entry point into an analysis of how women's coping strategies and active resistance to victimization are criminalized.

Like Gillfus, Regina Arnold (1990) frames women's early criminal involvement as resistance to victimization. However, Arnold expands her definition of victimization beyond childhood abuse to include interpersonal and systemic experiences of racism and classism. The theoretical framework of "Processes of Victimization and Criminalization of Black Women" describes how black women's resistance strategies are criminalized. Arnold's argument is that "for young Black girls from lower socio-economic classes, involvement in 'precriminal' behaviour may be viewed as active resistance to victimization..." (153). Some examples of resistance that Arnold suggests are running away from home, leaving school, and stealing. What is particularly helpful in Arnold's analysis is her conception of *victimization*. Arnold expands conventional notions of victimization beyond childhood and adult sexual/physical abuse to also encompass structural and systemic victimization such as "economic marginality, racism and mis-education" (153). This reconceptualization allows for an analysis that focuses upon how social structures help to create criminality rather than searching for a "criminal personality."

Furthermore, the focus upon women's responses to victimization as *resistance* avoids a static definition of "victim" that depicts women as helpless and passive recipients of abuse. Resistance, which may include illegal activity, is posited in Arnold's piece as a rational response to dangerous situations. Thus, her analysis allows for black women's agency within the context of social, economic, and political marginality.

Arnold develops a model for how young black women move from victimization experiences to involvement in criminal lifestyles using the concept of "structural dislocation." "Structural dislocation" refers to the process whereby some young, poor, black women become alienated from both their families (because of abuse in the home) and from the education system (due to overt and covert racism). This alienation results in becoming "structurally dislocated from two of the primary socializing institutions" (158). Consequently, many of these young women also find themselves marginalized from legitimate work and turn towards criminal lifestyles for survival. Arnold argues that the world of the street then becomes the primary socializing force in which many young black women find economic and social support (159). The concept of "structural dislocation" emphasizes the ways in which social institutions can force certain individuals to the margins through sexist, racist, and classist practices.

Arnold's analysis of how some black women are positioned at the margins of important social institutions begins to get at the impact race and class oppression may have upon the choices available to young women. Furthermore, a structural analysis protects against the pathologizing effects of scrutinizing the psychology of "the female offender."

One of the risks of an exclusively structural analysis, however, is an over-emphasis upon structural and systemic oppression at the expense of understanding individual subjective

experiences of oppression. Beth Richie's (1996) examination of black American battered women in prison combines both a structural analysis of women's criminal behaviour and an exploration of how individual women subjectively experience structural and interpersonal oppression. One of the results of her approach is that women in prison are neither constructed wholly as victims nor as agents, but instead their experiences reflect a dynamic between the two processes. In "Compelled to Crime: the gender entrapment of battered black women," Richie raises several issues that are helpful in developing an analysis of women's agency under oppression. Richie describes the women she interviewed for her study as reflecting a "complex dualism: they are at once victims and survivors...sometimes engaged social actors and other times passive witnesses to the oppressive chaos around them" (4). Richie's initial premise dispels the common tendency to reify women's victimization experiences into a static identity. She states from the outset that her analysis will reflect a dynamic between victimization experiences and times when women function as self-determining actors. A second important issue that Richie raises is that of *choice*. Hers is one of the few studies that explicitly deal with the fact that for many women choices are limited and "are harder and the consequences are more serious for women with low incomes, women of color, lesbians...and others whose decisions, circumstances, and status violate the dominant culture's expectations or offend hegemonic images of 'womanhood'" (2). The notion that available options are constrained by social and political factors challenges the ideology that women who criminally offend are doing so because of moral or psychological failings. In addition, it also challenges the liberal myths of free will and equal opportunity upon which such theories are generally founded.

The theoretical perspective that emerged from the thirty-seven life histories of women

incarcerated in a New York jail is what Richie has termed "the gender entrapment model." This model is derived from interviews with black and white battered women and non-battered black women. Her model is applied, however, specifically to black American battered women involved in criminal activity and fills an important gap in feminist scholarship which for the most part has not dealt with black battered women (Richie, 1996:12). The *gender entrapment model* is an attempt to describe the link "between culturally constructed gender-identity development, violence against women in intimate relationships, and women's participation in illegal activities" (4). Richie illustrates the ways in which gender, race/ethnicity, and violence intersect to create women's identities and experiences of marginalization. Her analysis of subjective and behavioural responses to structural and systemic oppression helps to illuminate the dialectic between the ways in which women's practical ability to act as agents is constrained by limited choices and how women's personal sense of agency develops within this context.

A further theoretical contribution of Richie's study is the idea that for many women the constraints imposed by incarceration are simply an exaggerated form of the constraints they experienced in the "free world." Theoretically, this has important implications for understanding women's *needs* both inside and outside of prison. Richie states that the women in her study expressed feelings of "imprisonment" through poverty, abuse in intimate relationships, the marginalization of their communities of origin, and through the poor options available for survival. These women "were imprisoned well before they were arrested...and not surprisingly, this earlier, more fundamental sense of confinement is strikingly similar to the conditions of being in jail today" (5). In terms of understanding the needs of women in prison, Richie's analysis clearly reveals the fact that social conditions severely limit the ability of some women to

meet their own basic needs. This is not a result of personal failings or personality characteristics, but of the lack of genuine opportunities for changing their life circumstances. This perspective points to structural and social changes as a prerequisite to meeting the needs of these women. The implications for prison programming and policy are significant. If current prison structure and operations mirror the daily lives of disenfranchised women they are unable to offer support and assistance. Prison systems must be dramatically restructured if they are truly going to be sites of support and assistance for incarcerated women. This notion reverses the current concept that women in prison need to develop self-esteem or an internal sense of personal empowerment in order to live life responsibly. Richie's analysis suggests that it is our social structure, and by extension our prison systems, that need rehabilitation, in order that women be afforded meaningful opportunities to exert political and social influence over their lives. This framework allows the ways in which women are victimized by race, gender, and class oppression to be exposed without defining women's identity by her victimization experiences. Furthermore, it is within the framework of limited choices and marginalization that women's agency is developed and defined.

Richie's work is reflective of a feminist shift in scholarship towards an analysis that does not privilege gender as a primary analytic lens. Many critical race legal feminists illustrate how women of colour are caught between both feminist and anti-racist theoretical models, neither of which adequately capture their experiences (Crenshaw, 1989; 1995a; 1995b; Lovell Banks, 1995; Harris, 1990). These theorists challenge the tendency to discuss race and gender as discrete categories of analysis, a tendency which ignores the ways in which both systems of domination interrelate and reinforce one another. Kimberle Crenshaw (1989; 1995a), for example, discusses

the ways in which black women are excluded from both feminist and anti-racist discourse because of the failure of these discourses to consider "intersectional identities" (1995a: 358). Crenshaw argues against a single axis framework that treats race and gender as mutually exclusive experiences. She employs the concept of *intersectional identities* or *intersectionality* to refer to the "various ways in which race and gender intersect to shape the multiple dimensions of black women's" (358) experiences. In "Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color", Crenshaw uses the concept of intersectionality as an analytic tool for exploring how racial and sexual oppression affect the lives of abused women. She argues that the development of appropriate programming and policy needs for women of colour must acknowledge that racism, classism, and sexism are mutually reinforcing systems of domination.

Lisa Maher (1997) employs Crenshaw's concept of intersectionality in her ethnography of crack addicted street women.

...I have attempted to problematize the tendency to view race and gender as mutually exclusive dimensions of identity operating on diverse and isolated terrains...The stratificatory implications of particular intersectionalities are contingent and context-specific; they may structure inequality to the benefit of some as much as to the detriment of others (191).

Crenshaw's concept of intersectionality and particularly the way that Maher applies it to her study of street women, has implications for understanding women's agency. One of Maher's central concerns, for example, is to challenge the "victim/volition" dichotomy that she sees operating around constructions of crack addicted street women. She employs the concept of intersectionality to shed light on the multiple levels of oppression experienced by women in her

study, the shifting *contexts* in which gender, race and/or class oppression operate to shape their experiences and the multiplicity of methods these women use to "empower, shape and subvert negative categorization" (191).

Maher suggests that the tendency to either over-endow or deny marginalized drug addicted women's agency must be transcended by attempting "to chart the middle ground identified here as spaces of action, ingenuity, sensibility, and rationality" (1994: 201). Maher's "middle ground" is similar to the concept of the "the black box" described by Kathleen Daly (1992) in reference to the space between women's victimization experiences and their lawbreaking behaviour. Daly's "black box" and Maher's "middle ground" might be understood as that which lies in the space between the dichotomous construction of women as either passive victims or as autonomous agents.

Another area in which the importance of intersecting oppressions has been raised is in relation to feminist efforts to reform the sexist nature of legal and governmental apparatuses. Several writers state that legal and criminal justice systems are sites which reflect dominant values and ideologies and are often used to reinforce patterns of inequities (Snider, 1994; Kline, 1994; Razack, 1994). Recently, feminists have questioned the advisability of using the criminal justice system in feminist efforts to end male violence against women. Much of this questioning has to do with the effects of this strategy upon women who are marginalized due to race and class. As Laureen Snider (1994) points out, the exclusive focus upon *gender* oppression has in many cases benefited primarily white middle class women. For example, feminist advocacy to criminalize male violence against women has had inadvertent consequences for disenfranchised women and men. Often times, writes Snider, the involvement of the law in battering cases has

only "worsened the plight of the victimized" (85) by inviting more state intrusion from professionals, such as social workers, lawyers and psychiatrists. Furthermore, such procedures have increased the conviction of "poor men and natives [who] are not the only, or even the most serious offenders against women." Snider calls for a re-examination of feminist use of legal and social reform that re-intrenches social inequalities claiming that "mobilizing class bias (and probably racism as well) in the name of justice, *and of feminism*, is not a clever strategy" (87). Feminist efforts to appeal to the law for protection from male violence ignores the relationship that poor and non-white people have historically had to the state; a relationship in which the law has not been viewed as a protector of rights (Harris, 1990). Although increased state involvement may protect some women from male violence "for many women of colour the immediate concern...is not abuse in the private sphere, but abuse of government power" (Roberts, 1995: 401).

Monture-Angus (1995) also provides an example of how a gender analysis of legal strategies may limit its benefit for Aboriginal women. Monture-Angus uses the example of child custody battles to illustrate her point. The typical scenario of a man and a woman battling for custody over children, a battle which is played out within the legal arena, has little resonance for Aboriginal people. Monture-Angus writes:

...disputes over the custody of children are not actualized as disputes between parents. Rather the two parties are the parents and the state: father and mother 'fight' against the state to maintain custody. The mother, if involved in a situation of domestic violence can not expose it because her right to custody of her children is dependent on the man who batters her (234).

Dorothy Roberts (1995) makes precisely this same point in relation to women of colour. She

writes that:

The primary concern for white middle-class women with regard to child custody is private custody battles with their husbands following the termination of a marriage. For women of colour, though, the dominant threat is termination of parental rights by the state (401).

Both statements by Monture-Angus and Roberts reflect the idea that the state is not a neutral force in which gender battles get played out, but rather, may actually be the force against which both genders are battling. Thus a perspective that centres gender oppression may obscure or omit the fact that class, culture, and race influence the relationship of individuals to the state and deny a commonality of experience between minority men and women or between minority women and other women.

A further example of the ways in which the intersections of sex, class and race inequities operate to oppress minority women is provided by Roberts (1995) in her article "Punishing Drug Addicts Who Have Babies: Women of Color, Equality, and the Right of Privacy" in which she examines the ways in which gender, class and race oppression operate in tandem to enforce social control over black motherhood. She asserts that "prosecution of drug-addicted mothers cannot be explained as simply an issue of gender inequality" (385) and illustrates the ways in which racist and classist ideology and practices operate to construct images of black drug addicted mothers. Furthermore, states Roberts, these images perpetuate individualization of social problems by "implying instead that shamefully high black infant death rates are caused by the bad acts of individual mothers" (389). The prosecution of pregnant women who are drug addicted has been primarily directed at poor black women in the United States. One of the reasons for this, suggests Roberts, is that poor black families are disproportionately reliant upon

state financial support and thus more subject to the scrutiny of government officials. Her analysis illustrates the ways that this policy relies upon the collusion of members of the medical, legal and social welfare systems to police poor black women's behaviour. One of the results of this collusion is that poor addicted pregnant women are prevented from accessing services they may need. Knowing the possibility of being charged with harming their fetus or the risk of having their babies taken away from them, many poor women of colour are unlikely to use state sponsored drug treatment programs or services offering pre-natal care (384).

It is clear from this work that it is not sufficient to simply "add on" race and class as subsequent analytic categories because, as Crenshaw points out, "the intersectional experience is greater than the sum of racism and sexism" (1989: 140). The idea of intersectionality in this discussion has been used to expose the idea that women's relationship to the state is not only structured by gender, but by race, culture and class as well. Understanding the systemic ways that the intersection of forms of dominance converge to produce and reinforce marginalization through law and social policy, constructs a relationship between women and the state as one that is often antagonistic. This is a particularly helpful contribution in conceptualizing the experiences of women in conflict with the law because of their involvement with many levels of state control (Faith, 1993). This type of analysis moves away from an exclusive focus upon individual "criminal personality", to an examination of the ways in which the actions of certain groups of people are *criminalized*.

This work reflects the notion that dominant legal and social structures position certain groups of people outside its purview and perpetuate their exclusion. Conventional discussions of criminal behaviour suggest that by making the wrong choice, the individual thereby *positions*

herself outside of, or in conflict with, legal structures. This conception is premised on the idea that all people are free and autonomous individuals. The corollary to this notion is that social norms and legal structures are enacted to protect all individuals from impingement upon their freedom or autonomy. In contrast, scholars have shown that for many groups of people autonomy is impinged upon *through* oppressive structures and ideologies, including legal structures.

Several authors present the relationship between the state and marginalized people as not only antagonistic but as one that systemically enforces their exclusion. For example, in "Stealing Away: Black Women, Outlaw Culture and the Rhetoric of Rights", Monica Evans' (1995) central premise is that not only does the legal system fail to protect the rights and freedoms of African-Americans but, in fact, laws and policies are often used to limit these freedoms and perpetuate African-American subordination. Thus, African-Americans are positioned *outside* the law in a variety of ways:

The state of being on the outside is both a matter of fact - imposed by dominant legal discourse that silences, marginalizes and constructs black life as dangerous and deviant - and a matter of choice, in the sense that black communities often place themselves in deliberate opposition to mainstream cultural and legal norms when those norms ill serve such communities (503).

Being on the outside has spawned what Evans terms, an "outlaw culture". Integral to outlaw culture is the recognition that survival sometimes depends upon violating legal norms. Outlaw culture is not static: it involves "defining and re-defining one's relationship to law, acting insubordinate when necessary, and manifesting scrupulous adherence to law and order when useful" (504). The importance of outlaw culture is that marginality becomes the site in which

resistance to oppression is created and defined. By examining different methods through which African-American women have constructed resistance space as "outlaws," Evans expands notions of women's agency within oppressive circumstances.

One example that Evans discusses is the case of Sandra Rosaldo. Rosaldo is an Afro-Latina woman who, while collecting welfare, violated the stipulation that she not accumulate savings exceeding a given limit. Her savings came from a part-time job she held in order to save for college tuition. Because her savings of \$4,900.00 violated welfare eligibility rules, Rosaldo was forced to spend her savings in addition to paying back \$9,300.00 in welfare payments. Evans borrows Patricia Collin's term "controlling image" to discuss some of the racial and class stereotypes operating through the case of Sandra Rosaldo. Evans suggests that the "controlling image" of "a young, unmarried, and unpropertied woman of color" (506) represents Rosaldo in such a way that:

... she is not an agent; she is not in the category of persons that the prevailing imagery recognizes as having access to capital, knowledge or the power of self-governance that derives from both of these resources (505).

Evans suggests that dominant images of working class black women ensure that Rosaldo's behaviour is interpreted as fraud and that she be blamed for being unable to "legitimately" deal with her own (implicitly self-induced) financial difficulties. That is, the ideology that positions her as a "deviant" poor black woman is confirmed by the fact that she "cheated" the system. In contrast, by turning the lens from Rosaldo's failure to respect the laws of the state, to the way in which the state *failed her*, Evans reconfigures Rosaldo as an agent exercising control over her circumstances. Evans writes that Rosaldo:

... is a young woman who 'stole away' from state-created dependency and from

legal rules that could only hurt her. Saving money for college in violation of welfare rules and in violation of the rules preventing access to knowledge is the 'insubordination' of an outlaw, kicking against the legal system that perpetuates her subordination (505).

Although she is "victimized" by her circumstances, Rosaldo is not a passive victim. Evan's analysis of Sandra Rosaldo's experience draws attention to the ways in which state apparatus and ideology enforce dependency, circumscribe choices, and criminalize resistance.

Regina Austin (1995) also writes about lawbreaking as resistance within urban black communities in the U.S. In her article " 'The Black Community,' Its Lawbreakers, and a Politics of Identification", Austin suggests that the material conditions of poverty and racism produce social conditions in which lawbreaking may be necessary for survival. Much black crime, writes Austin, can be viewed as a response to a system built upon race and class inequities:

...if persuasion, argument, and conflict with the law fail to prompt the dominant society to reallocate resources and reorder priorities, then a jurisprudence that aims to secure redemption for lawbreakers must acknowledge that activity outside the law, against the law, and around the law may be required (301).

Austin's assertion that lawbreaking may be necessary at times is a dramatic shift away from individualistic and psychologizing accounts of criminal activity. In fact, her analysis suggests a strategic aspect to lawbreaking that is politically motivated. Criminal activity in this analysis provides avenues for agency that a racist and classist social system prevents. Austin does not suggest that criminal behaviour be emulated or that all crime is economically motivated, however her analysis of "street life" as resistance sheds light upon the social conditions which circumscribe the choices available to marginalized people. Her analysis depathologizes criminal behaviour by viewing it in the context of exclusion from mainstream resources, services and

economics.

Evans and Austin challenge the assumption that the law is based upon fixed and universal concepts of truth and justice and the liberal notion that all individuals are equal before the law. The assertion that legal and social practices position African-Americans in opposition to the state is helpful in that it begins to get at the state's role in constructing deviance. Secondly, this perspective contextualizes illegal activity within social policies and laws that perpetuate subordination. Thus, individual lawbreaking becomes a rational response to inequitable conditions and "marginality...a strategy for carving out spaces in which to manoeuvre and resist (Evans, 1995: 503).

Summary of Theorizing Race and Gender: Systemic Oppression and Agency

The two life history studies (Arnold, 1990; Richie, 1996) reviewed in this section, which are conducted from a feminist or gender perspective, provide several helpful contributions towards understanding the dynamic between agency and victimization in relation to women in conflict with the law. One contribution is the notion that women's active resistance to victimization is often criminalized. Lawbreaking might therefore be understood as attempts to escape or deal with victimizing circumstances and as evidence of women's capability as agents. This construction moves beyond the dichotomizing of victimization and agency by illuminating the dynamic between the two experiences. Secondly, these authors push the definition of victimization beyond gender oppression by theorizing the *intersections* between gender, race and class oppression. An intersectional approach is a particularly helpful strategy for getting at the role structural and systemic oppression plays in creating criminality.

This approach has further implications that might be useful for a more complex understanding of women's agency. Richie's piece in particular, alludes to a notion of women's agency that is two pronged. That is, she delineates an interaction between two components of women's agency: a subjective or internal sense of one's ability as an agent; and external forces that provide the actual conditions conducive to functioning as an agent. I will call the former aspect of agency, *subjective agency*, and the later, *political agency*. The interaction that Richie suggests is that *political agency*, the opportunity for affecting change in women's lives, provides the context in which *subjective agency* evolves. This analysis helps to highlight the effect of social conditions upon women's identity, experiences, and choices thereby exposing inequities, not low self-esteem, as a significant influence in law breaking.

Several other important issues are raised within the literature reviewed in this section. Feminist scholars interested in theorizing the impact of oppression in the lives of women in conflict with the law need to address the "intersectionality" of race, class and gender in forming women's experiences and identities. Clearly, given the demographics of incarcerated women, an analysis that privileges gender subordination without an accompanying analysis of other axis of oppression, carries the risk of minimizing or obscuring the role of racism and poverty in women's lives. Secondly, a structural analysis of the role of state policies and practices helps to contextualize women's actions within a wider system of inequities. Women's marginalization due to race, class and gender is thus seen as a contributing factor in women's lawbreaking, in particular in terms of how structural inequities limit available choices and paths of legitimate action. This perspective helps to depathologize women's illegal behaviour and allows for an analysis of lawbreaking as a rational response and resistance to marginalization. In this sense,

women's lawbreaking may be viewed as evidence of women's agency. In addition, women's agency is viewed as being impeded by structural forces. It is within this context that women make choices, resist, and respond to impeded political agency.

Lastly, the notion that the state is not necessarily a benign force in the lives of marginalized people has implications for correctional policy and programming. This notion poses a significant challenge to how "criminogenic" needs are currently conceptualized. Women's needs are reconfigured as pertaining to structural as well as personal factors, thus suggesting the role of systemic changes in reducing recidivism. Prison structure and practice that simply mirrors and/or exaggerates the role of the state in perpetuating exclusion and marginalization, offer little hope for altering the material conditions of women's lives. An exclusive focus, for example, on increasing women's self-esteem will do little to increase the opportunities for economic survival on the outside. Programming and policy must acknowledge the role that state practices play in structuring inequalities and offer alternatives to these practices.

CHAPTER TWO METHODOLOGY

RESEARCH DESIGN

Research Perspective

This research is a qualitative, theory-building study. The experiences of incarcerated women were used as an entry point into better understanding the ways that power operates to produce social inequalities and limited options for marginalized women. As such, this research did not aim to generate a profile of "the criminal woman" nor to uncover antecedents of criminality to predict women's criminal behaviour. The primary aim of this study was to uncover the ways that women's autonomy is impacted by structural marginalization and to find out how participants negotiated these inequalities. Qualitative methodologies were therefore best suited for this type of theory-building study (Creswell, 1998: 17).

I have adopted DeVault's (1995) assertion that "rather than searching for generalizable differences among categorical groups, the aim is to understand how a member of such a group is caught up in the social relations of her context" (1995: 627). This study used prisoners' narratives about their life experiences and lawbreaking as an entry point into understanding the wider social structures that shape their choices and enforce their marginality. The prison institution itself was also included in this investigation as a more obvious means of social control and discipline.

A women's prison was selected as the research site for several reasons. First, feminist discourses about women's marginalization and empowerment have recently gained momentum in relation to women's lawbreaking and incarceration. Five new federal prisons have been built with

the philosophy of "empowering" the women incarcerated there. Institutions such as prisons provide an intense and interesting setting to explore the meanings of empowerment and issues of power in general. Prisons are both a concrete example of conceptual, ideological and practical aspects of a "ruling apparatus" (Smith, 1987) and a site in which various levels and forms of power and privilege converge. As some scholars have pointed out, incarcerated women's experience of prison are not all that different from their experiences in "free" society (Richie, 1996). Prison simply amplifies the visibility of practices that oppress, discipline, and control poor and minority women in particular. As Smith (1987) writes, in the outside world "the actual practices that make the ruling possible are not visible" (79). The prisoner's experience of incarceration then, provides an opportunity to make visible some of these practices and draw linkages between the "ruling apparatus" of the prison and those in the outside community. A second related rationale for examining imprisoned women's experiences is that, although it might be assumed that women in prisons represent extreme types of personalities and behaviours, it is the degree to which "their lives are stigmatized and marginalized" that is extreme, not the women themselves (Richie, 1996: 2). In fact, it may be that marginalization viewed from the vantage point of these women is particularly useful because, as Judith Okely (1996) argues, atypical individuals "both challenge the centre and show its form" and thus offer "critical, alternative perspectives...on power" (214).

Attention to issues of power and social location are also relevant to how a researcher is positioned in relation to her participants. Women who are serving prison terms are viewed as deviant mothers and women, and as angry, masculine or psychologically ill (Faith, 1993). For women of colour and Aboriginal women in prison, constructions of their lives are further

obscured by the notion that members of these communities are inherently deviant or criminal (Monture, 1990; Fitzpatrick, 1989; Austin, 1995). Thus without having been officially declared “criminal” by the justice system, poor and minority women are positioned as suspect, abnormal, and deviant.

Scholars researching women’s lawbreaking from a feminist perspective have attempted to position themselves in relation to their subjects in various ways. Some have suggested, in an effort to challenge the common image of women lawbreakers as Other and to distinguish women’s rehabilitation needs from those of male prisoners, that women in prison are no different than *other* women in that their problems arise from gender oppression (See Hannah-Moffat (1997: 181) for a discussion of the limitations of this approach). Attempts to make links between women in prison and “all other women” reflect a “just like us” research perspective. This perspective denies the differences in social positioning among women, including those between the researcher and subjects of research and obscures the impact of race and class on women’s lives. In addition, it serves to maintain and entrench the researchers’ privilege by using their position as “respectable” women as the yardstick against which to measure women in prison. Positioning oneself in this way leaves researcher privilege unproblematized and as Razack suggests, perpetuates the making of a “bourgeois subject” (Razack, 1998b). In her review of feminist analyses of prostitution, Razack finds a similar claim to “sameness” between prostitutes and “all other women.” Researchers who make this claim, she suggests, ignore the specificity of how violence, race, and class oppression operate in the lives of street prostitutes. Furthermore, the claim to commonality is generated by researchers who travel from:

...respectability to degeneracy, but the women who make such journeys (either in

writing or in practice) describe themselves as emerging unscathed and strengthened. In short, they emerge as autonomous subjects, having travelled from being good girls to bad girls. This kind of storytelling, it goes without saying, can only be told by those who do inhabit a position of White middle-class respectability (Razack, 1998b: 15).

Another rendition of the “she’s just like us” approach is the “naive innocent approach.” In her ethnographic study of women in prison, Owen (1998) adopts this perspective so she can place herself in the role of learner in relation to the female prisoners she studied. In attempting to show how much a part of the prison culture she had become, Owen tells us how often she was mistaken for a prisoner. Her response is “If I was, I would not be asking so many stupid questions” (36). Part of the “naive innocent” approach is to romanticize the experiences and survival skills of the women being studied. Owen, for example, writes that “...my life sounds pretty boring compared to theirs, which sound so fascinating” (35) and that the women she studied were “survivors of situations and deprivations that I doubt I could survive” (39). Owen calls herself an “outsider” in so far as she lived “outside” the prison community but does not problematize her social subjectivity as a white, middle class woman. However, as Abu-Lughod points out, different social locations impact the research interaction because “...the outsider self never simply stands outside. He or she stands in a definite relation with the Other of the study...”(Abu-Lughod, 1991:141).

Owen’s romanticization of women’s experiences of oppression parallels that of many white scholars who study black American women (DuCille, 1994). DuCille finds this a common strategy among white feminists who study the lives and literature of black women and relate to their experiences as a way to gain strength and find clues to survival in the face of adversity (DuCille, 1994: 622). This is similar to hook’s (1992) concept of “eating the Other,” the

commodification and enjoyment of the black experience from the comfortable material and social existence of the white intellectual. The effect of this approach and the other perspectives discussed above is that the “Other is made only more Other by the male theorist or by the ‘white female academic’...who views the objectified subject from the position of unrelinquished authority” (DuCille, 1994: 620).

What these approaches share in common is the perpetuation of women as Other and the entrenchment of the researcher’s privileged status. Ignoring the effects of one’s social positioning leaves unchallenged the class and racial privilege these writers bring to their research and fails to adequately problematize the effects of racial, class and gender marginalization in the lives of the women studied. Further, by “othering” their subjects researchers do not problematize their own role in knowledge production; the issue is “them”, the Other, not the othering process.

This study was in large part concerned with the “othering process”; the discursive, ideological and practical processes that position certain women “outside” mainstream society and conventional white, middle-class notions of responsible and respectable citizens. This study was also interested in how women negotiated these processes and the relationship between social positioning and women’s lawbreaking. Intrinsic to this process was a reflection upon how my own social positioning, as a white, middle-class researcher, shapes and informs both the nature of the data collected and the interpretation of it. (This is discussed in more detail later in this chapter).

The Research Questions

Concepts of women's agency that are predominately subjective and/or self-esteem related ignore

the impact of structures and social location on women's ability to function as agents. As a result, policy and programming that relies on women's subjective agency tend to be individualistic and focus only on women's emotional and psychological functioning as the site of change. The idea of empowering women, then, focuses on instilling a *sense* of empowerment within the woman herself. In order to develop a less individualistic theory of women's agency and empowerment, it is important to better understand the kinds of experiences that foster and undermine women's abilities to act as agents. This means examining the social conditions and relationships that provide the *context* in which the behaviour and experiences of women in conflict with the law take place.

The principle questions guiding this research relate to the kinds of experiences that enhance and impede women's autonomy and the ways in which women function as agents. In particular, this study was concerned with the relationship between women's social location, autonomy, agency, and women's lawbreaking. In examining these issues I am using Sherwin's (1998) understanding of the terms agency and autonomy. Sherwin distinguishes *agency* from *autonomy* in an attempt to redefine conventional understandings of autonomy in a way that accounts for structural oppression. *Agency* is therefore defined as the making of a reasonable choice (Sherwin, 1998: 32-33). *Autonomy* or *autonomous action* refers to a condition in which an individual is able to make choices, outside those made available by the conditions of oppression, thereby being able to "to refuse the choices oppression seems to make nearly irresistible" (Sherwin, 1998: 33).

This study asked the following questions:

Race, Class, Gender, Sexuality: How are women's experiences of agency and

autonomy shaped by their social location? What is the relationship between these experiences and women's lawbreaking?

A related set of questions were asked regarding the current context of women's imprisonment under the recent correctional policy changes. *Creating Choices* recommends the implementation of an empowering setting for women prisoners in which women's self-esteem may be fostered. This aspect of the study asked the following questions:

Empowerment in the prison context: How do policies and programs translate into practice on a day-to-day basis? How are the relationships between prisoners and staff structured through these policies? How do staff and prisoners experience this relationship? How are prisoners' needs being defined?

In order to answer these questions, data was collected through focus groups and life history interviews with prisoners, interviews with correctional staff, content analysis of policy documents, interviews with key informants, participant observation and from my own field notes. Grounded theory strategies were adapted and used for much of the data collection and analysis (Strauss & Corbin, 1990a;1990b).

Grounded Theory

Grounded theory is an inductive method of theory building that allows the data to shape and inform the researcher's analysis (Marshall & Rossman, 1989; Strauss & Corbin, 1990a; Strauss & Corbin, 1990a, 1990b; Charmaz, 1983; Gilgun, 1994; Sherman, 1994). As a discovery based research design, grounded theory is useful for developing an understanding of the relevant social and environmental conditions and how "the actors respond to changing conditions" (Strauss & Corbin, 1990a: 5). Grounded theory is well suited for this study which aimed to contextualize experience and meaning within wider structural and interpersonal relationships.

In grounded theory methodology, the researcher develops her theory from the emerging data. The data is then examined for themes and patterns which are compared with the existing literature and relevant theories. However, as Patti Lather (1991) suggests:

Building empirically grounded theory requires a reciprocal relationship between data and theory. Data must be allowed to generate propositions in a dialectical manner that permits use of a priori theoretical frameworks, but which keeps a particular framework from becoming the container into which the data must be poured. The search is for a theory which grows out of context-embedded data, not in a way that automatically rejects a priori theory, but in a way that keeps preconceptions from distorting the logic of evidence (62).

Thus grounded theory methods allow a continual comparison and interaction between theory and "real-world phenomena" (Marshall & Rossman, 1989: 41).

DeVault (1998) argues quite convincingly that the tradition of grounded theory should be regarded with caution because of the focus on allowing theory to "emerge" from the data. She is particularly concerned with issues of race and ethnicity that may not "emerge" when a respondent is speaking to a white researcher. One of the ways that I attempted to deal with the implicit assumption that themes "emerge" from the data, was by paying attention to what was "not said" about issues of race, gender, sexuality and class, during the interviews. As stated above, my use of grounded theory is one that assumes themes are not spontaneously revealed in a value free way through the data themselves. As researcher, I inevitably impose a frame through which to "hear" the data and select the "themes" about which I am interested in theorizing. The data provides the pool of information but it is I, based on scholarly literature, personal experience, social location, and theoretical interests, who determines which themes are most salient and relevant to my research questions. (The complexities of this process will be discussed in further detail later in

this chapter.)

Although there has been a recent turn towards qualitative research in feminist criminology, there are few studies conducted through grounded theory methods. Two notable exceptions are the works of Eleanor Miller (1986) and Beth Richie (1996). In her ethnographic study of street women, Miller used a grounded theory method to explore themes related to the increase of property crimes committed by women. In accordance with grounded theory methodology, Miller used the emerging themes from the data by integrating them into subsequent interviews in order to test the validity of the emerging issues (1986: 26). Similarly, Beth Richie used grounded theory methods in her study of black and white battered women incarcerated in the United States. Richie states that this method was particularly well suited for her aim of developing "an alternative model of explaining women's illegal activities" (1996: 27). Richie employed the grounded theory method for her data collection, sampling, and analysis, all of which helped her to develop a more refined theory about the experiences of African-American battered women in conflict with the law.

Grounded theory is an appropriate methodology for this present study which aimed to develop a more robust theory of autonomy in relation to women's lawbreaking behaviour. This technique is also consistent with a relational theory of autonomy which aims to uncover the practices that enhance and inhibit autonomy. Nedelksy (1989) writes that:

..focussing on the feelings of autonomy defines as authoritative the voices of those whose autonomy is at issue. Their autonomy is then not a question that can be settled for them by others...We cannot understand or protect, much less reconceive, autonomy unless we attend to what gives citizens a sense of autonomy, to what makes them feel competent, effective, able to exercise some control over their lives, as opposed to feeling passive, helpless and dependent (25).

THE RESEARCH CONTEXT

Prison Setting and Environment

In order to gain entry into a federal women's prison, I was required to submit a proposal to the Regional Headquarters of the Correctional Service of Canada. I submitted a proposal that briefly outlined the theoretical basis of my research, my research design and methodology, the approach to data analysis, and how I was dealing with ethical issues. (This proposal was a very condensed version of the research design described in this chapter). This proposal was given to a committee of psychologists employed by Correctional Service of Canada for review. As I had previously been on contract as a therapist in a federal women's prison, a couple of these psychologists had been my colleagues, were familiar with my work, and recommended supporting my research. In addition, the woman who was Acting Warden at Grand Valley Institution, the prison to which I was requesting access, knew me well from prior experiences of working together. She informed Regional Headquarters that she supported my request for entry into her prison. After about six weeks my proposal was approved and I began going to Grand Valley Institution two or three times a week to collect data.

Grand Valley Institution (GVI) is one of five recently developed women's prisons across Canada that have altered the prison's physical structure from that of more traditional high security prisons. The architectural design was influenced by a notion of "community" that involves cottage style living and attention to outside spaces and natural light.

In addition to a main administrative building, a segregation ("enhanced unit") area, and a "special needs" unit, there are nine houses, or "cottages", in which ten prisoners live together.

There is a barbed wire fence surrounding the prison compound. Each house is equipped with a kitchen, bathroom, laundry room, living and dining areas, and ten bedrooms. Women are provided with a key to their own bedroom. With the exception of “count times”, (certain times during the day when women must be in their house to be counted), women are free to move from their house to the yard, or to the administrative building. Women are not allowed to visit each others’ houses, however. After eleven o’clock at night, women are locked in their house and are not permitted to leave until the following morning.

During normal week day operational hours, women are either in programs, at prison work sites or school, attending meetings with various staff, or in their own houses. I found that it was sometimes difficult to schedule meetings with women during these hours and instead conducted some groups and individual interviews in the early evenings, when the women were free to schedule their own agenda.

At any given time there are about eighty-five women incarcerated at Grand Valley Institution. Midway through data collection, I requested and obtained basic statistics on the prison population. On November 24, 1998 there were eighty-seven women incarcerated at Grand Valley. Of these eighty-seven, forty-eight were identified as Caucasian (55%), twenty-two as Black (25%), five as Native Canadian (6%), three as Asian (3.4%), two as Hispanic (2.3%), two as East Indian (2.3%), and there were no racial or ethnicity data available for five of the women. It was not clear from the statistics I was given whether racial/ethnicity data was obtained through self-report or someone else’s assessment. There were thirteen women serving life sentences, eleven serving between five and ten years, and the rest were serving sentences between two and five years.

For the majority of the data collection period, I was given an office in the Psychology/Health Care Unit. The staff in this unit gave me a key so I could enter and exit freely without having to request someone to open doors for me. The office I used most of the time was a large board room, suitable for focus groups as well as individual interviews. I was able to close the blinds when I required privacy, although the door contained a large rectangular window that remained uncovered. This room contained a large table, six chairs, a medical stretcher and a restraining bed. The restraining bed was bright orange, with large velcro straps. Each strap had "ANKLE" or "WRIST" written in bold black letters. There was also a block shaped head restraint to deter the confined person from thrashing. I generally tried to throw my coat and bags on this bed, so its presence was not so obvious, at least to me.

At Grand Valley, neither prisoners nor correctional staff wear uniforms. Correctional staff do carry keys and walkie-talkies, which is the primary visible distinction between staff and prisoners. For the first six weeks of data collection, I was given a square yellow visitor's tag upon entry into Grand Valley. I was to clip this onto my clothing to signify my visitor status. This *yellow* tag, as opposed to the *pink* one which requires the visitor to be escorted at all times, allowed me to travel freely throughout the institution by myself. After about six weeks, staff at the front desk began to recognize me and stopped giving me any tag at all. I was simply required at this point to sign my name in a Visitor's Log when I entered and exited the institution.

I was also able to visit the women's living units quite freely. I was invited by many women to visit their houses for a more relaxed meeting (fewer staff were around), have coffee and see pictures of their kids. These visits were particularly useful not only for building rapport with the individual who invited me, but also for enabling me to introduce myself to the other

women in the house, and for being able to engage in participant observation in the women's living environment.

Gaining Access to the Prisoner Population: "Under the Sycamore Tree"

In order to fill in the research gap about black Canadian women in prison, I purposefully attempted to gain black women participants. In addition, I wanted to gain participants who were serving both long and short prison terms. Length of prison sentence may affect how a woman experiences incarceration and might reflect variances in severity and context of criminal behaviour. This notion was confirmed for me when a woman serving a life sentence approached me to find out if I had interviewed any "lifers." She said it was imperative to gain their perspectives since it varied drastically from those of the "short timers."

Participants were gathered through a variety of methods. The most common way of gaining participants was through self-referral. Data collection began at the end of August, 1998 when the weather was still warm. Outside the main administrative building on the prison compound was a picnic table placed underneath a Sycamore Tree. Women often gathered there to smoke and socialize. Thus, in the early stages of data collection, I sat with various women under the Sycamore Tree. This provided me with the opportunity to tell them who I was and what I was doing there. This was generally after someone inquired about my presence. Often, these discussions led to some women suggesting that I interview them too. On a couple of occasions, while sitting outside, women asked me about what kinds of things I was discovering through my interviews. This enabled me to share what I was finding as well as to test out some of my analysis on the women themselves. These conversations, then, served as a type of "member

check” on the emerging analysis (Lather, 1991: 68).

An important aspect of these times at the picnic table, it seems, was for me to be visible. My “hanging out” there allowed women to watch me, see how I interacted with other women and ask questions if they desired. Often times, women did not speak to me the first time they saw me outside: but they were watching. Several weeks into the study, a woman I had never met saw me in the hallway of the administration building, stopped me and said “Oh, I was looking for you. I wanted to ask you something. I saw you outside the other day, and I need to know if your hair is a perm and where you got such a good spiral perm?” Our discussion about my hair (not a perm, natural) led to this woman volunteering to participate in an interview.

The names of several women were also given to me by one of the staff who then introduced me to them. After explaining my research and who I was, I asked these women if they would agree to participate. On a couple of occasions, I directly approached women and asked them to participate. This generally happened when the data that was gathered from previous interviews suggested themes or issues that needed to be followed up by a particular interview with a specific type of woman. For example, after two interviews with black women, issues emerged that I felt I needed to learn more about, related to these women’s specific experiences of being originally from the Caribbean and now living within a white Canadian culture. In this case, I specifically approached several black women and asked for their participation. This type of participant selection is termed “theoretical sampling” (Creswell, 1998:118) and is common to grounded theory methodological approaches. One woman I interviewed arranged for me to meet with a small focus group of black women, in order that I explore in more detail some of these themes within a group format. Two women, one Native and one Caucasian, did not want to be

interviewed but did not indicate a reason for declining.

Gaining Access to the Prison Staff

Initially, I was only interested in speaking with front-line correctional officers, called *Primary Workers*. I wanted to speak with this group specifically because they were directly involved in the operation of the prison seven days a week, twenty four hours a day. Front-line workers generally have the most frequent contact with the prisoners and are those charged with implementing policy developed by upper level management. Obtaining consent from the *Primary Workers* to participate in an interview was much more challenging than with the prisoners. I employed various methods and strategies to gain participants. First, upon entry into the prison, I explained to the officer at the entrance desk who I was and the purpose of my study. I also gave them a copy of the *Information and Consent Form* for *Primary Workers*. (See **Appendix A**) to provide them with some information from which to make a decision about whether or not to participate. I also spoke with *Primary Workers* in the halls and at their various security posts to introduce myself and explain my research. In addition, one prisoner I spoke with gave me a list of names of both the “good” officers and those who were not so well liked by the prisoner population. Each *Primary Worker* that I spoke with expressed extreme distrust and reluctance to participate. Without exception, they all said they feared speaking with me in case “management” found out what they said. Several people repeatedly asked, “Are you sure that Management knows you’re here and that it’s okay for us to talk to you?” I let them know that “management” had allowed me access to the institution, and had informed me that they would try and relieve officers from their posts to talk to me. I also informed them that I was not an

employee of the Correctional Service of Canada and of the confidential and ethical guidelines by which I was bound. One Primary Worker did, very early on, agree to be interviewed. She even took extra copies of the Information and Consent Form to give to her colleagues and to help me gain participants. My next strategy was, at the suggestion of a staff person, to put letters in all the Primary Worker's mailboxes explaining the study and asking them to sign and return the letter if they would like to participate. From approximately thirty Primary Workers, one participant was gained through this method. Eventually, two more participants came forth, letting me know that they would agree to be interviewed only after they confirmed with their union that it was okay to speak to me. In the end, I interviewed four Primary Workers.

As time went on, I decided I also needed to conduct informal interviews with those in charge of the various programming departments. I found that neither the front-line staff nor the prisoners were aware of all the programming options and regulations. I felt I needed this information to better contextualize the comments of Primary Workers and prisoners, and to have a full understanding of what types of programs were being offered to the women. As a result, I conducted four informal interviews with "key informants". The "key informants" were in charge of co-ordinating various types of programs run through different departments of the prison. These interviews were not tape recorded but were used as background information. In addition to verbal information I was also provided with written documents which contained a synopsis and philosophical framework for the different programs offered in the institution.

“Doing” Research: The Use of Self, Boundaries, and Role Flexibility

My prior history of working at the Kingston Prison for Women (P4W) as a psychotherapist meant that I was known to a few of the staff and prisoners. Although there were some staff that worked at P4W, the majority of front-line workers were specifically hired to work at GVI and were fairly new. I therefore knew very few of them. Although there were only a handful of prisoners at GVI who I knew personally, many others informed me that they had seen me at P4W. The psychology department at P4W, of which I was a part, developed a model of prison counselling based on feminist therapeutic principles and advocacy. As such, the department had a reputation for being supportive of the needs and concerns of the prisoners. My familiarity to the prison population may have helped me gain trust and credibility. On the other hand, the small numbers of staff who either knew me personally or had heard of my work at P4W, seemed to be particularly wary of me. The work of the psychology department at P4W was generally regarded as being at odds with that of the security staff. Distrust and/or wariness about me personally may have been related to my prior work history within the Correctional Service of Canada.

There were many times that my role as “researcher” overlapped with a supportive role during the three months that I was collecting data. In one instance, a woman who I had only just met and had not even arranged to interview, stopped me in the hall as I entered the prison. She said that she needed my help. In a great state of distress, she took me aside and in tears told me that she was scheduled for release in a few months and did not want to go. She informed me that she was not ready to be released, had no where to go, and was having new memories of childhood abuse that were confusing and frightening her. She wanted to stay in prison. What she wanted from me was to go with her to tell her Case Management Officer that she was not ready to be

released. As I did not feel comfortable intruding on this meeting (the Case Management Officer did not know me), I arranged to take her to his office and wait outside until after the meeting. I also made a referral to the psychology department for her.

On another occasion, I had scheduled an interview with a woman who I knew from P4W. When she arrived for the interview she was visibly upset and preoccupied. I did not wish to begin with *my* agenda without finding out how she was feeling and if she was up to having the interview that day. As a result, we spent the next two hours reflecting on the issues with which she was struggling, and strategizing how to best deal with them. (She too, was having new and vivid memories of childhood abuse. A not uncommon experience among women in prison [Pollack, 1993]).

Another example of the flexibility of my role during data collection reflects on how some staff perceived me. During an interview with a prisoner, a staff member knocked on my door and asked me to come out. One of the prisoners had received very bad news a few moments earlier and was “going off side.” Would I be able to intervene and help this woman? The woman I was interviewing told me to go, as the woman in crisis obviously needed me. Nonetheless, I declined, telling the staff member that I was not an employee of the institution, nor was I currently working in the capacity of counsellor. It is likely that this staff person was responding to the knowledge that I used to be a therapist in P4W, and in desperation because of the crisis, confused my current role with my past one.

It was not uncommon for me to receive requests for advocacy efforts on behalf of various prisoners. I frequently made referrals, helped with housing applications, supported women in crisis and helped facilitate community contacts. One prisoner, herself interested in research on

women prisoners, requested a copy of my Masters thesis. She carried it around with her for months, showing the conclusions and recommendations I made to teachers, counsellors, spiritual advisors and correctional workers.

One of the other challenges around the “research role” was how to respond to women’s comments with which I did not agree, found offensive, or otherwise felt needed to be challenged. Some approaches to research, such as social action and participatory, view “conscious-raising” as integral to the research process (Maguire, 1987; Lather, 1991). “Conscious-raising” may involve helping participants uncover social myths about marginalized groups, a process that is assumed to be empowering for the individuals involved. In these models it is assumed and even expected that the interviewer will present her own opinions and perspectives about women's marginalization. Conversely, traditional research paradigms see the researcher as an “objective observer” and view personal interjections as a possible contaminant to the “purity” of the data. An example from my own research, in which I did not position myself as “neutral observer” but as someone whose lived experiences, social location, and political perspectives influence all aspects of the research process, illustrates the conflict between these two types of research stances. During one of the life history interviews, a white participant who called herself Laptop,² espoused racist views relating to her inability to find employment. Initially, I did not offer my opinion on her commentary; I was waiting out the narrative to see what she was saying about her own social positioning as a white, poor, abused, and drug addicted woman. However, perhaps precisely because I did *not* overtly respond, this participant invited me to do so. The following is

² All names of participants are pseudonyms.

an excerpt from our exchange during the interview:

(Laptop)

I'm not going to look for work. Because I get too angry. I go into a store and it's all ethnic, you know, and they won't hire me because I'm a white woman. You know. Like there's a lot of Muslims in this country and they run a lot of our businesses and they will not allow women to work in public because that's not the way they do it at home. And people say, that's bull, that's a racist comment. Oh no it isn't.

(Shoshana)

But it *is*. That *is* a racist comment.

(Laptop)

But it's true! I don't hate them for it. I would never go out and spray paint their store or break their window, or try to kill them, or anything like that. But it's the truth. You go into your local Becker's, you don't see someone like me behind the counter who owns it and who runs it. And, and if you have a business, if you're a white person and you run a business, you have to hire a Black, a woman, and a Hispanic or a Chinese. You *have* to. You can not have an all white staff. But they don't have to hire a woman, a white man, hear what I'm saying? Just things that I think are unfair that a lot of people think are unfair. And this is where the fights come from.

One of the results of my statement that her comment was indeed racist, was that Laptop further articulated her own understanding of racism (as overt violence) and why her own perspective could not be seen in those terms. Further, it allowed me to avoid being and feeling complicit in condoning anti-ethnic/racist perspectives. Laptop likely assumed my complicity and my agreement because of our shared whiteness. In fact, our shared whiteness and gender were the only attributes we had in common. Laptop may have in fact been trying to deepen our rapport by trying to unite us through racist expressions. Blee (1998) argues that although it is commonly assumed that rapport develops through the efforts of the researcher, participants themselves can use various strategies for establishing a connection and bond with the researcher (392). By disagreeing with Laptop's opinions I risked breaking any sense of rapport that had previously

been established.

These issues raise relational and political questions about the researcher/participant dynamic. I recently gave a conference paper on researching across privilege and presented the above excerpt to the audience. I used this excerpt as an entry point into discussing the implications of shared whiteness between researcher and participant and as vehicle to raise questions regarding challenging participants' views. One audience member, a white male academic, took great exception to my "research method." His perspective was that by interjecting my opinion I had sullied the data and "silenced the participant." In short, I was doing "bad research". This man's perspective that I was "silencing" Laptop, raises interesting questions about challenging, confronting, and disagreeing with research participants. Generally, feminist research assumes that we will feel empathetic to our participants (Blee, 1998) and thus our responses will not contradict, but validate and illuminate for them their social circumstances. In a recent article, Blee (1998) discusses her approach to interviewing racist activists, during which she felt that it was both personally and ethically necessary for her to reveal to her participants that she did not endorse their anti-Semitic and racist views. In fact, she argues that disclosing her perspective and thereby challenging those of her participants, was a fundamental aspect of her research process (1998: 385). By exposing her own opposing belief system, Blee avoided complicity in condoning and perpetuating racist views.

The issue of self-disclosure was also relevant to the research role in another way. I have always exercised fairly stringent boundaries around the amount of personal information I disclose to research participants and clients, and quite honestly, most are not terribly interested. Nonetheless, there are times that sharing personal history is quite appropriate and useful. The

most significant example of this and the one that most greatly influenced the quality of the data collected, relates to sexual identity. In this present study, six out of fifteen of the life history participants (40%) and one focus group raised lesbian identity as a significant issue. A couple of women raised the issue clearly and spontaneously. Others hinted that sexual identity was an issue they were dealing with but did not expand on their own. In these cases, I informed the woman that I was in a lesbian relationship. Participants suddenly disclosed a wealth of information about their relationships, some revising the heterosexual narratives they had previously created, adding in this element. One participant who had told no one else about her lesbian relationship, sought me out regularly for advice and general support regarding her emerging identity. Had I not self-disclosed in this way, the data I collected may have been qualitatively different.

Life History Interviews

The life history method was selected for several reasons. Life histories have been found to be a useful tool for obtaining "an insiders view of a culture," for understanding "cultural deviance," for documenting major events, crises and social conflicts, and for discovering complex interconnections in social relationships (Marshall & Rossman, 1989; Woodhouse, 1992; Richie, 1996). They are also particularly appropriate for research with people with limited literacy skills and lack of formal education (Martin, 1994). In addition, this method is beneficial for gathering data from stigmatized and marginalized populations and for discussing emotionally difficult issues (Richie, 1996:16). Life history methodology has also been adopted by feminist researchers who want to represent women "as agents and sources of ideas" (Watson & Watson-Franke, 1985: 175) and as having useful insights about the social world (Anderson, Armitage &

Witner, 1990). This is especially relevant for women in conflict with the law whose "deviance" disqualifies them from being valid sources of knowledge. Lastly, life histories help shed light on the ways in which marginalized people resist and cope with oppression (Martin, 1994) and "how they carved out areas of autonomy despite their formal lack of power" (Anderson, Armitage & Witner, 1990: 108).

I conducted fifteen life history interviews with prisoners. I stopped interviewing women when I felt I was no longer learning new information about the general topics in which I was interested. Actually, I conducted more interviews than I had originally planned, due to continuing requests from prisoners that they be involved in the study. The interviews were semi-structured and asked questions about participants' family and childhood, work (both legal and illegal work fall in this category), formal education, intimate relationships and imprisonment. Except for experiences of imprisonment, these areas of exploration are drawn from the life history studies conducted by Arnold (1990) and Richie (1996). Of the fifteen life history interview participants, seven women identified as Caucasian, five identified as Black, one as Native Canadian and two as bicultural (Native Canadian and Caucasian). Their sentence lengths ranged from two years (the minimum *federal* sentence) to life sentences. The youngest participant was twenty-four years of age, the oldest was sixty-one. The average age of the participants in the life history interviews was thirty-seven. (See **Appendix D** for demographic information of life history participants).

At the beginning of each interview, I explained verbally to each woman the purpose of the study, issues of confidentiality and the risks and benefits of participating. This information was also outlined in the *Information and Consent Form* (See **Appendix B**). Each participant was

informed that, if she agreed to tape record the interview, she could turn off the tape recorder at any time. Each participant was also informed that I would be destroying the tapes after transcription. Everyone agreed to audio taping of the interviews. Participants were also informed that I would be requesting a second interview after the tapes were transcribed, to give them an opportunity to read over the transcripts and to make any changes or clarifications. All participants expressed surprise and appreciation that they would be able to see the transcript before I wrote up anything about them. One commented that “things would be a lot better around here if our workers let us read what they wrote about us.” After they signed the *Information and Consent Form*, participants were given a copy to retain for their own records.

Before the tape recorder was turned on, each participant was asked general demographic questions as well as questions regarding their sentence, their family, work experiences, abuse and addictions (the *Fact Sheet*, see **Appendix E**). This initial information gathering served two purposes. First, it allowed me to gather and organize basic social and demographic information all in one place. Second, it served as sort of an entry into the life history itself. I was able to flag issues about which I might want to probe more deeply during the rest of the interview. Most of the time I went through the *Fact Sheet* verbally and wrote down women’s responses. On a couple of occasions, though, women picked up the *Fact Sheet* themselves and filled it out - without much discussion with me about her responses or the questions. Interestingly, the answers that one of the women wrote down on the *Fact Sheet* sometimes conflicted with the information she revealed during the taped interview. For example, she had written that she had experienced no abuse in either her adult relationship with males or from adults when she was a child. In the two hour interview that followed, she spoke of being “raped” by a man when she was an adult, and of

numerous occasions of being “molested” as a child. In addition, she had written that she had never had a problem with drug use but later in the interview spoke of extensive use of crack cocaine. The *Fact Sheet* was not intended to be filled out by the participants. I wanted to ask them each question individually, so that I could elaborate and explain the specifics of each question. Therefore, when this woman interpreted each question herself, problems with language and assumptions emerged. For example, the question about childhood and adult violence contained only the words “sexual”, “physical” and “emotional” “abuse.” It is possible that she did not identify “molestation” and “rape” as abuse. As well, the *Fact Sheet* asked if she ever had a “problem” with drug use. In the interview, it was clear that she did not see her use of crack cocaine as a “problem.”

During this initial phase of the interview I also asked each woman to think of a “code name” by which I could refer to her when writing up the results of the study. I asked that she make sure it was a name that nobody knew her by and that she had not used publically. I requested this information because I wanted to be able to personalize their comments when reporting them, rather than simply calling them “participant A”, for example. I also wanted them to have an element of ownership over what they would be called in the dissertation.

Interviews lasted anywhere from one to three hours. Two of the interviewees conducted the interview in two parts. This was because during the course of the interview these women began to reflect on issues and experiences that they had locked away for a long time. As a result of their distress, I felt it was inappropriate to continue tape recording and turned off the machine. I made this decision because it felt intrusive to tape record for the purposes of *my* research deeply intense, distressing and fresh emotions. Although we continued our meeting, the interaction took

on a different tone as I felt I needed to help her sort through what she was feeling, offer emotional support, problem-solving options and validation. Both these women asked to come back a second time to continue the “official” interview another day.

After the interviews were transcribed, I met with the participants to read over the transcript, make any necessary changes and to discuss in a general way the interview. Of the fifteen participants, eleven came to this interview. One participant had been transferred to another prison and one was getting released and did not want to meet again because her “head wasn’t into it.” The other two participants felt it was not necessary to read over the transcripts and did not want copies of it. One respondent who met with me to look over the transcript found reading her own story too difficult and decided just to take the transcript with her without reading too much of it. The sense that reading one’s own words in “black and white” was intensely powerful and sometimes overwhelming was common to many of the participants. Comments such as “I can’t believe I lived through all that” and “Wow, seeing it in black and white makes it so real”, were common responses. One woman said that she was surprised she shared so many emotions during the interview because she does not normally express them. This woman and several others said that during the interview they were able to emotionally distance themselves at times from what they were recounting, but reading their stories brought them closer to themselves and prevented defensive barriers from rising. Often tears were shed as they read over their words in a sort of grieving for themselves. Almost all the women I met with for this interview said that they were going to take the transcripts to their counsellors on the outside to use as an entry point into therapy.

It was usually during this meeting that we discussed some of the women's positive

choices and actions. One woman initially was very hard on herself after reading the transcript saying, "Okay, yeah, I can say all this and tell you about it, but what have I done to help myself? My emotions are so buried ." We spent a lot of time talking about the ways in which she had in fact already begun healing from her history of abuse by looking over the transcript and seeing the ways in which she has clearly been reflecting on and processing her abuse experiences. Another woman, conversely, said that seeing her words written down made her realize how much strength she has and the kinds of skills and support she feels she can offer other abused women. "I can show them that they're not alone. That they're normal, not crazy" she said.

The Interview Guide

Prior to beginning the interviews I had developed an open-ended interview guide comprised of general experiences I was interested in learning about (See **Appendix F**). The guide was developed into thematic categories adopted from life history studies on women's lawbreaking in the criminological literature. Incorporated into each thematic category were probes that I had hoped would elicit information regarding women's experiences of oppression, their experiences as agents and issues of autonomy.

The interview guide went through many revisions and evolutions. As I gained insights from the interviews, I integrated new themes and patterns into the next interview I conducted. In this way, I was able to test out these ideas and seek patterns in responses. One of the ways in which the interview guide changed was that it became much less structured. I found that I received what seemed to be more authentic and spontaneous responses by simply asking participants to tell me about themselves and some of their life experiences. Throughout each

interview I probed around the thematic categories that the women themselves had either not addressed or addressed in small detail. Although many women delivered their narratives chronologically, I did not specifically ask questions in a linear way.

The issue of linearity was one that arose in a variety of ways. The issue was raised for the first time on my first day of data collection. One of the prisoners had been informed by the Deputy Warden that I would be starting my data collection on that day. She came to see me right away. I explained my research to her and showed her the interview guides for both the focus groups and individual interviews. She thought both guides looked good and remarked that they were very direct and that women would likely feel comfortable talking about these issues in this way. She, in fact, made copies of the interview guides to take with her, because she was giving a talk on women in prisons in Ottawa and wanted to show her audience examples of appropriate methods of interviewing incarcerated women.

She did have one concern, however. Her concern related to the fact that the life history interview guide began with questions about family. She said that beginning an interview this way would be too threatening and I should move the family questions down further in the interview. This of course made complete sense and is common knowledge when developing a survey questionnaire, for example, that the less personal and potentially uncomfortable questions should go later on in the survey. However, when I developed the life history guide, I may have been influenced by a need to be sequential, beginning with family of origin and moving on to other experiences. I changed the guide as this woman suggested.

Focus Groups With Prisoners

I conducted three focus groups for this study (See **Appendix C** for the *Information and Consent Form* for focus group participants and **Appendix G** for the focus group interview guide). In total, eleven women took part in these groups: the first consisted of two participants, the second had four, and the last had five group members. Of the eleven participants, six identified as black and four identified as Caucasian and one was bicultural (Aboriginal and Caucasian). One group consisted of all Caucasian members and another of all black members. The homogeneity of the all black focus group was intentional on my part. One of the reasons that I was interested in getting the perspective of black women prisoners was that, as critics have rightly argued, much feminist research relies upon white middle class subjects as the norm (Anderson, 1993; Cannon, Higginbotham & Leung, 1991; Martin, 1994). This is certainly evident in the Canadian literature on women in conflict with the law, although there is a growing body of research about Aboriginal women in prison. There have been few attempts, however, to gain black Canadian women's perspectives, an omission that black prisoners themselves have complained about (Stewart & MacKay, 1994: 34). I also felt that it was important to conduct a focus group with all black participants to increase the likelihood that they would speak more freely about the impact of race and culture given they were being interviewed by a white researcher.

Initially, I had hoped to conduct one or two focus groups *before* starting the individual interviews to generate general themes and issues that the women found most important to them, and subsequently to integrate these issues into the individual interviews. At the Kingston Prison for Women there were four main pre-established prisoner based groups: The Inmate Committee, The Peer Support Team, The Native Sisterhood, and the Black Women's Collective. I had planned on using these pre-existing peer groups for focus group interviews because participants

would already know each other and therefore might feel more comfortable speaking freely. In addition, using groups that already know each other is advantageous in that it can “allow respondents to react and build upon the responses of other group members” by using shared experiences and knowledge of one another (Wilkinson, 1998: 117).

I had been told that three of these groups (there is no Native Sisterhood at GVI due to the small number of Native Canadian prisoners in this institution) were also at GVI and that I could invite one or two of these for a focus group. As it turned out, probably due to the relative newness of the institution, the Inmate Committee and the Peer Support Team were not particularly cohesive and thus not fully amenable to coming together for a group discussion. The black women prisoners have maintained the support group that was established at P4W, due to the fact that the staff person who facilitates this group (called The Black Inmates and Friends Assembly or BIFA), was also given a contract at GVI. This enabled the group to have continuity and consistency and thus to continue operating. However, it was very difficult to get a sample of this group to come together with me at the beginning of data collection, probably because I am a white researcher and not known to them. The facilitator of BIFA, a woman hired on contract by Correctional Service of Canada, was very helpful in introducing me to the group and by repeatedly telling group members I was looking for focus group participants. This individual also referred a woman to me for a life history interview. Nonetheless, it was only after individually interviewing two or three of these members that I was able to arrange a group interview. This was accomplished with the help of a woman with whom I did a life history interview, who subsequently recruited four other BIFA group members for a focus group.

Because of many of these factors data collection did not begin with focus groups, as I had

originally planned. Instead, the three focus groups that I conducted took place at intervals throughout the three months of data collection. In fact, I found that this method of integrating focus groups throughout data collection, rather than beginning with the groups, yielded very rich data. Rather than a unidirectional interaction between focus groups and life history interviews (group data informs life history guide), there was a dialectical and multi-directional relationship between group and individual interviews. The ideas and themes emerging from the interviews were carried into the groups which then generated subsequent themes and ideas, which flowed into more individual interviews. I was thus able to test out ideas and themes in both methods, and bounce them off groups and individuals.

I found that focus groups provided a very significant complement to the individual interviews. The focus groups were very beneficial for providing a forum for the women to analyse and reflect on their lives and needs. These groups showed a more meta analysis than did the interviews. Wilkinson (1998) writes that many feminists use focus groups as a data collection method in hopes that through sharing common experiences women "...will develop a clearer sense of the social and political processes through which their experiences are constructed..."(115). It is not clear whether the women in the focus group "developed" this analytic sense through the group process or whether they just felt more free to discuss issues like race and sexuality in a forum with others who share common experiences. However, talking about the effects of abuse, family dynamics, racism, sexuality, and gender in groups seemed to allow greater space for political and social analyses. In the life history interviews women seemed less able or willing to analyse the impact of social location on individual experience, than in the groups. They often spoke in a linear way, describing their lives in a way that aimed somehow to

explain what led up to them being incarcerated: to explain, or bring a certain logic to why they are now incarcerated. Most took a lot of responsibility for how their lives had gone, with less commentary about how class, race or gender impacted upon their experiences, than in the focus groups. The most striking example of how focus groups generated qualitatively different data was with the black women's group. During individual life history interviews black women's talk about race and culture appeared muted. This is not to suggest that they were saying little about these topics, but rather, they were not speaking in explicit terms. On several occasions, when I thought I read into the women's narrative a racialized subtext, I directly asked about the impact of racial oppression on their lives. Responses to this question varied, but frequently women said things like, "I don't see colour," and/or referred to the inadvisability of "crying racism" to explain one's actions. Although on several occasions my direct questioning prompted explicit stories of racial discrimination, for the most part black women participants downplayed any implicit suggestion of racialized experiences.³

DeVault states that for white researchers, 'hearing' race and ethnicity in our talk with informants requires active attention and analysis rather than passive listening and recording" (1995: 613). Part of this active attention requires listening not only to what is said, but also to the silences and ambiguities within participants' narratives. All participants make active choices about which stories to tell, but for women of colour speaking to a white researcher the basis upon which certain narratives are chosen over others may be racialized decisions. Careful reflection on the content and silences within life history participants' narratives did significantly contribute to

³ In retrospect, I realized I did not directly ask white women about the impact of racialized experiences on *their* lives. The implications of this oversight will be further discussed in Chapter 6.

my analysis of how these women's experiences were racialized. However, the focus group data, generated from five black women talking to one white researcher, contained explicit "race talk" that greatly enhanced the analytical perspectives of this work. The methodological implications of the different data obtained through life history interviews and the focus group are outlined below. The black women's focus group enhanced and shaped the data on race and gender in four main interrelated ways. These are: the de-individualization of social problems; the creation of a space for discussions about culture and immigration; the development of a collective sense of black women's experience; and shared facilitation of discussion topics.

De-individualization of Social Problems

Participants in the black focus group spoke of both cultural influences and of racism in a way that did not come through so clearly or in the same way in the individual interviews. For example, in contrast to the more individualistic narratives of the life history interviews, women in the focus group reflected politically and socially on their life experiences. They were able to de-individualize some of their problems and place them within the social-economic parameters of their lives. There are few spaces within the criminal justice system that allow for the de-individualizing of social problems. The black women's focus group provided a dramatic counter-narrative to criminal justice constructions of a "criminal woman".

Created Space for Discussions About Culture and Immigration

All the women in the focus group had been born either in Jamaica or Barbados and had immigrated to Canada as young children. During the focus group they spoke of the disjuncture

between cultural expectations within their families of origin and those they perceived as white Canadian expectations. The site in which this was particularly evident was in discussions about motherhood and heterosexual relationships. The analysis the women put forth related to the idea that dominant values and practices in Canada sustain and perpetuate the struggles of black women raising children alone. This notion was compared to the Caribbean experience which these women suggested was more conducive to community support for children. Together the group members reflected upon and analysed the intersections between sexist practices, cultural differences, and racist practices and ideologies pertaining to the family and economic inequalities. There was very little of this complex analysis in the life history interview data.

Development of a Collective Sense of Black Women's Experiences

Within the prison, allegations of racism by prisoners has been coded as "manipulative" in the discourse about racism. 'Crying racism' is seen as a "weapon" used by prisoners to "get what they want" from the system. Some of the prisoners themselves adopt this attitude. Individually, black participants have a vested interest in not perpetuating this image, particularly because my whiteness is also the whiteness of the prison authority. In one interview, for example, a participant distinguished herself from all the other prisoners of colour who said they were impacted by racism. This did not apply to her she said, because she felt an affinity with other *women*, not other women of colour. There is likely a political and pragmatic motivation behind this separation of self into either woman or woman of colour- identifying with women of colour in the prison system further subjects you to ill treatment and negative stereotyping. Perhaps identifying with all women in general is a safer position to take within this context because it

minimizes the risk of being singled out among the other (white) women.

In the group setting, participants may have felt more confident about talking about prison and outside societal racism. They spoke definitively about “black women” including themselves and each other in this category. Sentences began with “As black women we...” and “Black people think...” and they framed most of their individual struggles within the context of a collective identity as black Caribbean women.

Shared Facilitation of Topics Discussed

On several occasions group members supported and confronted each other around individualizing their own problems. An excerpt from the black women’s focus group illustrates this point.

During this group, participants were discussing the reasons why they had committed fraud or imported drugs. Participant 1, while trying to make sense of why she continues to shoplift, questions why she can not work a “straight job” and budget her money:

Participant 1: “And every other *normal* person can make it work. They’ll live within their means, they’ll hang on to the little they have and be grateful. So, I know somewhere along the line I think I do have problems, obviously.”

Participant 2: “Don’t think you’re not normal. Don’t *ever* say that. You’re normal, you just have higher expectations. You set higher goals for yourself in life. Maybe you set it the wrong way, but you’re just setting higher goals. It doesn’t make you unnormal [sic].”

In addition to supporting and validating Participant 1's experiences, one of the other effects of Participant 2's interjection was that it led to a group discussion about some of the *social* factors that operate in the lives of Black Caribbean-Canadian women that make it difficult to “live within their means.” (Such as inadequate government assistance, lack of childcare, single motherhood).

This turn of direction was generated from participants themselves, rather than through my direction as facilitator, thus shifting the power to define the parameters of the discussion from the researcher to the participants (Wilkinson, 1998).

Recently feminist researchers have challenged the feminist notion that "gender is enough" of a common experience to produce rapport with the participant and researcher (Edwards, 1990; DeVault, 1995; Blee, 1998). Rosalind Edwards argues that "race does not simply exist as an object of study or a variable in analysis, it enters into the research process itself ... and importantly influences the relationship with those we are researching" (1990: 482).

Methodologically, this study shows the impact that the researcher's racial background has on the kind of data generated through various methods. Bringing black women together in a group format altered the power dynamics somewhat to allow participants to articulate the racialized dimensions of their experiences. The focus group provided a forum in which they could speak about the social causes of individual struggles that have their roots in racist ideologies and practices. This process illustrates that although shared gender may facilitate a certain comfort level between participants and researcher, racial positioning mediates this comfort and presents barriers to communication.

Interviews with Primary Workers

Four interviews were conducted with Primary Workers. Two of these participants were male, two were female, and one participant identified as black. Primary Workers were asked questions about their educational background and training, job roles and responsibilities and their relationship with prisoners (See **Appendix H** for Interview Guide for Primary Workers).

As stated above, before these individuals agreed to participate in the interview, lengthy discussions about confidentiality ensued. My ethical obligations around confidentiality were reiterated before each interview. In one case, I offered to bring the tape to one participant after I had transcribed it and destroy it in front of her. By the end of this interview, she no longer felt that measure was necessary. In fact, she appeared so relieved by the end of the interview that “there were no leading questions” and that she “was not put in a compromising position” that she immediately approached her peers to tell them to participate because it “was really fun.” Her recruitment resulted in two more interviews.

It was very difficult to find the time and space for Primary Workers to participate in an interview. Interviews took place in the prison while they were on shift. A very senior manager had given permission for them to leave their post, if appropriate, to take part in the study. Therefore, all interviews took place in an area that had two security staff on at once. This enabled one staff to leave for about an hour. These interviews lasted between 45 minutes and one hour. All participants were informed that they could turn off the tape recorder at any time. Only one did this so that she could provide me with some information that she thought crucial I know, but did not want taped.

I modified the interview guide somewhat after each interview to integrate new themes and issues that were emerging, and by the fourth interview it seemed clear that this sample had been “theoretically saturated” (Straus & Corbin, 1990b). Because of the extreme difficulty of scheduling interviews with this sample, the transcripts were put in their mailboxes for them to review, rather than organizing a second interview. Only one participant made changes to the transcript.

These participants were self-selected and it is unlikely that their perspectives are representative of the general correctional staff. Given their very sincere concern about confidentiality and the possibilities that upper management would be able to identify their comments, self-selected participants may have felt that their own views were similar enough to those of the management to risk participation in this study. Therefore, staff whose experiences and perspectives deviate from those of the management may have chosen not to participate and thus these perspectives are not included in this study.

Key Informants

I interviewed four Key Informants who were involved in various aspects of prison programming. These individuals were employees of the prison and responsible for overseeing the programs offered by their department. The purpose of these interviews was to gain insight into programming options and philosophies. These interviews were not taped. Contact with these individuals also provided me an opportunity to gain support for my research and to receive assistance in gaining prisoner participants through referral from the Key Informants.

Participant Observation

I had a fair amount of freedom to participate in various prison activities and to travel around the prison. This allowed me to observe various types of people in different contexts. As stated above, some participant observation took place in the prisoners' living units. I also attended a staff assembly, an assembly for both staff and prisoners, and a prisoner support group. During the times ("count times") that I did not have access to the prisoners, I spent time with

staff and participated in some of their meetings. Although participant observation methods did not comprise the bulk of data collection, these opportunities enhanced my understanding of the prison culture and influenced data collection. One visit in particular stands out as a significant illustration of the importance of having the opportunity to observe women interacting within their “home” environment.

It was a special day at GVI - Joan Grant Cummings, the president of the National Action Committee on the Status of Women had been invited by the Black Inmates and Friends Assembly to speak to the prisoners and staff. One of the “lifers,” who asked to be referred to as *Charlie*, invited me to her living unit for coffee while the rest of her house was getting ready to go to the assembly. As Charlie and I were sitting in the living room several of the other women were involved in the process of deciding what to wear to hear Joan Grant Cummings speak. One of the younger house members repeatedly came out of her room, dragging various clothing items, to ask Charlie which item was most appropriate. Each time she came into the living room to ask Charlie’s opinion this young woman said “*Mom*, what should I wear?” or “Can I wear this, *mom?*” Later, when Charlie was walking me back to my office I asked her why this young woman called her “mom.” Charlie let out a small sigh and said with a somewhat bemused and tolerant expression that this young woman seemed to need a caring yet authoritative woman in her life, to guide and support her. It was Charlie’s opinion that since the young woman had only experienced violence and abuse from parents and other authorities, that she had finally found someone to whom she could turn to for guidance and kindness without also receiving abuse. She thus began to call Charlie “mom.” It seemed to me that this young woman had engaged herself in a process of “re-parenting” with an older, more experienced, higher status (Charlie is a lifer and

thus has more status among the prisoner population), and caring woman.

Observing this interaction and having the opportunity to ask Charlie about it, was important for two main reasons. First, it helped me to better understand, from the prisoners' perspective, what the literature often refers to as "play" or "pseudo" families in women's prisons (Owen, 1998: 134). I have never been particularly comfortable with these terms, nor with the ways in which these types of relationships among women prisoners are presented in the literature. Terming the kind of connection that is developed between some women in prison as "play" or "pseudo families" tends to belittle the significance of these bonds and sounds somewhat condescending. Secondly, observing this interaction first hand added to the richness of the data I later collected. Further on in my research process, I conducted a focus group with five members of Charlie's house (without Charlie). One of the themes that evolved during this focus group was the development and importance of the types of bonds between women in prison. These bonds included lesbian relationships, platonic friendships, and what these group members called *family*. Because I had observed this *family* of women in their living space and because Charlie had explained some of the dynamics to me, I felt I was better able to understand both the concept and the specific types of relationships about which they were speaking. I was therefore able to ask more meaningful questions to further explore the meaning of these relationships. In addition, the young woman who called Charlie "mom," confirmed during the focus group the role that her prison family plays in her current life. She said that in her mind her own biological family no longer exists and that it has been replaced by her new prison family of women:

And as the days progress, the more I'm starting to feel like they're [biological parents] not my family. I wasn't born to them. I was born to my "mom". Why, just because I didn't come out of her uterus, she's been my mom. She's made up

for all the years I didn't have a mom.

Thus the focus group also served as a method of "triangulation" (Lather, 1991: 66-67) in confirming and validating prior data gained through participant observation.

Document Analysis

I reviewed various publically available Correctional documents. Most of these documents were policies and procedures related to the development and implementation of the "woman-centred" prisons. I was also given two documents related to internal prison operations and policies. This literature allowed me to examine the stated goals and objectives of the prison reform strategies and compare them to the actual structure of the prison in which I was doing this research.

DATA ANALYSIS

Coding

Data collection, transcription, and coding took place, for the most part, simultaneously. After each interview, or couple of interviews, I began coding themes and issues that I might want to pursue further in subsequent interviews.

Interviews were transcribed and then coded using both NUDIST and "by hand" coding techniques. NUDIST is a computerized qualitative data analysis system that has the ability to maintain textual data, hierarchically index a data base, and assist in manipulating and analysing text data (Richards & Richards, 1991: 308).

There were roughly three phases of data analysis, although the coding process was not as clean and orderly as layed out in this discussion. The first phase involved reading over the "hard

copy” of the transcripts in their entirety, coding by hand in the margins for significant concepts and themes. This coding phase drew on Strauss & Corbin’s (1990b) notion of “open coding” whereby the researcher examines the data for “*conceptual* labels placed on discrete happenings, events and other instances of phenomena” (61). Part of this process involves comparing concepts to one another which generally leads to the merging of concepts and the development of “higher order, more abstract” coding of *categories* (Strauss & Corbin, 1990b: 61). During this first phase, for example, I coded data into categories about leaving home, effects of abuse, violent relationships with men, lesbian relationships, economic basis of lawbreaking, and perspectives on prison programming.

The second phase of coding involved using NUDIST. After I had identified a fair number of categories by hand, I used NUDIST to further code and write memos and descriptions of the categories. NUDIST was helpful for me in this regard because the program provided a place in which to organize my data and attach analytical notes/memos that helped me keep track of the emerging analysis. The use of memos allowed me to compare and contrast categories and the types of analyses I was developing. This second phase also involved examining the data within each category in relation to each other. Whereas in the first coding/analysis phase, I examined data within the context of a whole narrative or discussion, in this phase I compared and contrasted data categorized under the same heading. This process is similar to what Strauss & Corbin (1990b) call, “enhancing theoretical sensitivity” (84). This is the coding phase during which the researcher asks questions of the data, and compares and contrasts categories. This process helped to broaden the analysis and led to further revising and development of categories. During this second phase, NUDIST was used to code and revise analysis of data. This phase

revealed differences within the categories in how women experienced and resisted forms of oppression, such as those related to race, class, and gender. For example, the narratives from black and white women were vastly different in these respects because black women's experiences were circumscribed by racism. This led to a further analysis about the contexts and forms of racism and how black women dealt with these experiences. In addition, black and white women spoke of imprisonment in different terms and with varying levels of comfort with the psychological discourse that permeates the institution.

During the third coding/analysis phase, I travelled between the data, the coding of the data, and the relevant scholarly literature to develop and refine the *theoretical* issues being developed. At this point, I no longer used NUDIST. Although the computer program functioned for me as a very helpful data management and organizational tool, it did not significantly help with the development of theory and the overarching conceptual framework of my analysis. This emerged through constant reflection and comparison between data, my own experience, and the relevant theoretical literature. The result of this phase was the identification of *patterns* and "a story line" (Strauss & Corbin, 1990b: 119) that led to my eventual analytic framework for understanding and interpreting the data. For example, two distinct "stories" were formed regarding the struggle of black women for economic independence and how the dynamics of male violence are replicated through prison disciplinary processes. Integral to these 'stories' is the notion that, although there are some significant parallels between black and white women's experiences, these two groups of women have vastly different experiences of both the institutional and wider social world. (These stories form the basis of **Chapters Three and Four**).

Although grounded theorists often imply that the data "speaks" and urge qualitative

researchers to “never impose anything on the data” (Strauss & Corbin, 1990b: 94), data coding/analysis is inevitably shaped by the researcher’s interests, conceptual/ideological frames and biases. For example, I was specifically interested in what the data suggested about the impact of women’s social location on issues of autonomy and agency. Integral to this interest was the effects of racial positioning on women’s interactions with state institutions and professionals and how this is related to lawbreaking. This is not to say that I “imposed” these ideas onto the data, but rather, I was analysing the data within this conceptual frame. A related problem with the notion that the data “speaks” is that, as mentioned above, for a variety reasons participants necessarily chose the story they will tell. The researchers’ social positioning and the context in which the research is taking place, enhance the significance of issues of power and privilege within the research interaction. Participants’ narratives reverberate against discrepancies in power due to social positioning. This means that when one is interested in issues of power, it is important to “hear” in the data what is left unsaid. Silences and disjunctures as a result of the research/participant dyad may say as much about the topic at hand, as do more explicit narratives.

There was also another aspect of the data coding/analytic process that pertained specifically to analysis of the *focus group* interviews. Initially, focus group interviews were analysed as above. Data was examined within the context of the group discussion, then coded into categories and compared with other data within those categories. However, the vastly different types of data gained through individual interviews with black women and the black women’s focus group, lead me to another form of analysis. This involved examining data within the context of the focus group in terms of how the group participants co-constructed meaning and the types of topics they raised. These issues were then compared to individual interviews with

black women, to see where there were overlaps, discrepancies, and ambiguities. Attention to my own social location as well as that of the participants informed this analysis. The interviews were a product of me as a white women talking to black incarcerated women. The data is a result of this interaction and could not be interpreted in a way that ignores this reality. In a sense, this interaction *was the data* itself and thus deserved attention and analysis. As DeVault (1995) argues, “[t]alk is often full of oblique references and resonances that could make race and ethnicity relevant. Listeners who have the requisite interpretive competencies can hear and understand meanings located in social contexts where race and ethnicity (like gender) virtually always matter” (613). We cannot assume that all researchers have the “requisite interpretive competencies” since this ability will be impeded or enhanced by the researcher’s own social positioning. As a white researcher, then, part of the coding/analytic portion of this study involved reflecting on the impact of racial and class privilege and how that both effects the content of the data (implicit and explicit) and what is left out of the data.

Analysis of Staff Interviews and Correctional Documents

As above, staff interviews were examined in their entirety and then coded into conceptual themes and categories. The data in each category were then compared and contrasted to achieve a more abstract understanding of the general themes emerging from staff interviews.

Part of the analysis of staff interviews involved contextualizing their comments against the backdrop of the policy documents that guide their professional responsibilities and approaches to their work. For example, the Primary Worker's perspectives about the nature of staff/prisoner relationships, women’s criminality and needs, and program development were

compared to correctional discourses about the same issues. Similarly, Primary Worker's comments were compared and contrasted to those of the prisoners.

Since there were only four Primary Workers who participated in interviews and because they had such an extreme concern for their anonymity and confidentiality, I integrated their comments into a general analysis of correctional reform and institutional programming. Most of the Primary Workers' perspectives were congruent with the philosophy outlined in *Creating Choices*, thus I contextualized these comments within a general discussion of the inseparability of politics, policy and practice (**Chapter Five**).

Use of Field Notes

Most of my field notes related to reflections and feelings about my personal interactions with staff and prisoners. I documented the types of informal and formal contact I had and what these interactions had to say about the research process in general. For example, I began reflecting on issues regarding researcher responsibility, self-disclosure, and role flexibility that were discussed above.

Field notes were also kept to reflect upon some of the more difficult and/or frustrating aspects of doing research. For example, data collection was at times quite isolating. My own perspectives, experiences, and interests were sometimes dramatically opposed to those of the staff with whom I spoke informally when I was not conducting interviews. It was not uncommon to hear very disrespectful comments about the prisoners, nor to hear homophobic, racist and anti-Semitic sentiments. Some of my field notes reflect the sense of discomfort I had as a Jewish lesbian interested in researching imprisoned women's experiences.

ESTABLISHING THE VALIDITY OF THE STUDY

In his overview of the various perspectives on evaluating the validity of qualitative studies, Creswell (1998: 208) summarizes several key approaches to evaluating qualitative research, and advances his own procedures for assessing the quality of research. Although there are variances in how qualitative researchers define the standards and criteria for evaluation of research, there are enough commonalities to establish procedural strategies. This discussion of the validity and trustworthiness of the present study draws upon Lincoln & Guba (1985), Lather (1990) and Creswell (1998) to establish that I have met the relevant criteria for development of a trustworthy and credible research project.

Prolonged Engagement in the Field

Lincoln & Guba (1985) write that prolonged engagement in the field is necessary for establishing the trustworthiness of the research and must involve uncovering the researcher's own distortions about the setting and building trust with the participants (302-305). Data collection began in August, 1998 and ended in late December, 1998. The first few weeks involved getting familiar with the prison and making myself visible to both prisoners and staff. After two or three weeks, prisoners began volunteering for interviews. My "engagement in the field", however, actually began well before this research was started. Prior to this, I spent five years practising social work and conducting research in another women's prison and thus was very familiar with institutional life and the types of issues women in prison confronted. Although this particular prison was new to me, the overall dynamics and operations were not. I was therefore not "a stranger in a strange land" (Lincoln & Guba, 1985: 302), which, as stated above, had both negative and positives

effects on the research. For example, my prior history working with Correctional Service of Canada may have contributed to the staff's wariness toward me. In addition, both staff and prisoner awareness that I used to work as a therapist sometimes contributed to conflicting roles as researcher and counsellor/support.

Triangulation

Lincoln & Guba (1985) define triangulation as "a way of improving the probability that findings and interpretations will be found credible" (305) through use of multiple sources and research methods. This study used individual and group interviews, more informal interviews with Key Informants, personal experience of the research setting, participant observation, and document analysis, as sources of data. As Lincoln & Guba (1985) and Lather (1991) encourage, I used various types of data to confirm and disconfirm hypotheses. One example of triangulation was given above in terms of the use of participant observation and a focus group interview to better explore the concept of a prison *family*.

Another example also relates to participant observation and interview data, although I was unable to gain enough data in this case to substantiate a hypothesis. There were several occasions when I observed prisoners in the institution carrying bibles. All these women were white and within some of the interviews with white participants they spoke of the importance of the concept of "forgiveness" in relation to being abused. I wondered if there was a connection between Christian religious programming, which I had heard from community sources was a strong force in the institution, and women's focus upon forgiving their abusers. I sought out interviews with Key Informants and written documents about the religious programming in the prison. However,

I could find no direct evidence to substantiate my hypothesis and thus it remained as speculation.

Peer Review

At various points in the data analysis phase I received feedback from social work practitioners and researchers. I gave these individuals excerpts of data and my emerging analysis and asked for their perspectives about what was going on in the data and the credibility of my own analysis. For example, I gave some preliminary findings regarding the impact of structural racism on black women's personal identity to a woman of colour well versed in the scholarly literature on race and culture. I solicited her input in order to check out my own biases and misinterpretations and to help me reflect upon how my own "partial knowledge" about racialized experiences impacted my understanding of the data. Preliminary findings about lesbian relationships in prison were also discussed in detail with a peer whose own research interest lies in the area of gay/lesbian studies. I also had numerous conversations with peers who work with women in conflict with the law and others who employ critical, feminist, and structural theoretical frameworks to their respective areas of study. These conversations helped me advance my own analysis about the impact of structural oppression on individual choice and decision-making.

Clarifying Researcher Bias

The importance of clarifying researcher bias is that it presents the reader with "past experiences, biases, prejudices and orientations that have likely shaped the interpretation and approach to the study" (Creswell, 1998: 202). These issues are discussed in the beginning of the methodology chapter under the heading "research perspective." In addition, my own perspectives are

articulated throughout the study in regards to my interpretation of the data. I take this criteria for evaluating the trustworthiness of the study to be related to Lather's (1991) understanding of "construct validity" (67). She states that the validity of a study relies in part on the researcher's self-reflection on the limitations of the theoretical traditions in which she is working and how the data challenges and/or offers new theoretical possibilities. This process helps guard against imposition of theory onto data and encourages flexibility and openness to participant's daily experience of their lives. My own process of determining "construct validity" is discussed in the above section on data analysis.

Member Checks

Member checks are thought to enhance the credibility of data by taking the data, analysis, and interpretations back to the participants "so that they can judge the accuracy and credibility of the account" (Creswell, 1998: 203). I conducted several types of member checks. The first method was simply by returning the transcribed interview transcripts to the participants. This allowed them to verify the accuracy of their narratives and make any clarifications or changes to the transcript (Lincoln & Guba, 1985: 314). This method also provided an opportunity to speak in a more theoretical way with the participants about their experiences and to test out my own early analysis. For example, after the black women's focus group read over their group transcript they spent another forty-five minutes reflecting on how in general black women's crime is constructed through criminal justice narratives.

A more informal method of member checking was, as mentioned above, sitting and talking outside in the yard with prisoners about what I was "finding out" about their lives. They

were very interested in the commonalities in stories and often when I highlighted a theme for example regarding criminalization of resistance to abuse, they sought out other women to either confirm or disconfirm my idea.

External Audits

Creswell (1998) writes that an external auditor is necessary for enhancing the credibility of the research by examining whether or not “the findings, interpretations, and conclusions are supported by the data” (203). The external auditor should be someone who is not connected with the study. I had several experiences of “external auditing”. At various stages of this project I presented my findings in several different forums to various members of the academic and direct practice community. This included presenting my research at an international conference, peer reviews of an article submitted for publication, and testing out my conclusions with a group of community social workers who service women on parole. This latter experience was particularly helpful because these social workers were predominantly women of colour working with clients from the Caribbean. They offered similar examples about the struggles of their clients and verified both my data and my interpretation of it. Feedback from academic colleagues in the form of “auditing” also helped me to clarify and elucidate my thinking.

Reporting the Findings

All names used in this study are pseudonyms that the life history participants chose themselves. Although prisoner participants have assigned names, there are times during the study that other identifying information has been changed in order to preserve participant confidentiality. Focus

group participants were not asked to choose a pseudonym so their comments are reported without names. Primary Workers were also asked to provide a name by which to call them, and three of them did this. In the end, Primary Workers' perspectives were included in the discussion about policy and program implications (**Chapter Five**) without reference to a name, gender, or race, in order to maximize their anonymity.

The findings from this study are reported in three separate chapters. **Chapter Three** and **Chapter Four** contain an analysis of both life history interviews and focus group interviews. As stated above, the two forms of data were analysed separately and then together, a process which shaped the final perspectives of the study. Comparing and contrasting the types of data in this way was in keeping with the general framework of this study that aimed to situate individual experience within the wider social context. Part of this process involved understanding individual experience in light of how certain *groups* of individuals are socially situated. Since the focus group data contained a clearer articulation of social and political processes of marginalization than did the individual narratives, the dialectical analysis between these types of data was fundamental to this project.

Two main themes related to women's lawbreaking evolved from the data analysis. The first theme was the issue of childhood and adult male violence and the relationship between these experiences and women's criminal activity. The relationship is one in which resistance to abuse is met with punitive responses, often in the form of criminalization. This analysis is presented in **Chapter Three, *Violence, Resistance, and Social Control***. The second theme relates specifically to black Caribbean-Canadian women's struggle for economic independence. Data from these women emphasized the intersection of racism with sexist and class based practices and

ideologies. The relationship between these experiences and black women's lawbreaking is presented in **Chapter Four**, *Racialized Women: Illegal Work and Economic Independence*.

Chapter Five, *Persephone Abducted: Policy and Program Implications* is an analysis of how "woman-centred" principles are defined through correctional policy and programming.

Interviews with Primary Workers and document analysis of correctional policy form the basis of this discussion about how professional discourse individualizes social problems and perpetuates power dynamics. The study concludes with **Chapter Six**, *Toward an Oppositional Framework* which presents alternative theoretical and practical responses to women's lawbreaking that results from this study suggest.

CHAPTER THREE

VIOLENCE, RESISTANCE, AND SOCIAL CONTROL

This analysis is based on individual and group interviews with thirteen women. Life history interviews included ten participants, two of whom were black, one was Native Canadian, two were bicultural (Native and Caucasian) and five were Caucasian. The focus group consisted of five Caucasian participants. The homogeneity of this group was not intentional. Participants were self-selected and came together with their friends. Two of the focus group participants also participated in life history interviews. There was little uniformity in women's criminal convictions or in sentence lengths. Convictions varied from drug trafficking to armed robbery to second degree murder and sentenced lengths ranged from two years and four months to life sentences. Overall, women in this group were convicted of more violent crimes and sentenced to longer prison terms than the black women discussed in the following chapter. Eleven of all life history and focus groups participants said they experienced childhood sexual and/or physical abuse and twelve participants said they had been involved with abusive males as adults. The themes that linked their experiences together were the pervasiveness of violence in their lives and punitive responses to their resistance.

For women in this group, incarceration both replicated and challenged the violence they experienced in the outside community. Power dynamics that invalidate prisoner's perspectives and motivations and encourage their accommodation to an agenda of a more powerful entity, replicate the dynamics of both child abuse and adult male violence. The primary method of dispersing and enforcing power in the prison is through therapeutic discourse and programming which construct notions of a "good inmate" and encourage women to self-regulate. The emphasis

upon women's emotional/psychological functioning replicates male dominance by defining appropriate female behaviour and punishing women who do not conform. Conversely, many women found opportunities for safety and autonomy within the prison population. The all woman living environment and relational opportunities it affords, offer women a temporary break from male violence. In this respect, and in contrast to their outside lives, many women in this group experienced prison as relatively safe.⁴

There were three main themes that emerged from these interviews: the pervasiveness of violence in these women's lives and punitive responses to their resistance; the prison "therapeutic community" as a form of gender specific social control; and safety and autonomy through relationships with other women.

The Context of Violence: Isolation, Gender Inequalities, and Punitive Responses to Resistance

The constant reality of physical and sexual violence was a pervasive force in these women's narratives. Whether as children or adults, the threat and actuality of male violence circumscribed women's experiences and choices. Women were therefore regularly engaged in a process of dealing with and resisting constraints on their bodies and options and in finding alternatives to relationships and systems that condone abuse of women and children. Participants described their lives as a constant battle between conformity to appropriate feminine behaviour and being

⁴ Although black women's experiences of male violence are congruent with other participants in this group, these women did *not* experience the prison as safe. Their experiences of incarceration are discussed in the following chapter on black women's lawbreaking.

punished for their refusal to do so. In this sense, gender violence acted as a method of social control by circumscribing the parameters of women's sexuality, choices, and actions. One of the features of both childhood and adult violence was that girls/women were isolated from protection and/or support. In childhood, the threat of revealing the "family secret" was enforced by other family members such as siblings and mothers, thus the whole family often colluded in protecting the abuser, rather than the child. Sarah's mother, for example, would often leave home on weekends during which time her father "would beat us constantly - almost the whole weekend." Jane's mother did not believe her disclosure that her step-father was abusing her and beat her for "telling lies on him." Sometimes abused girls themselves were forced to collude in their own abuse by protecting the abuser (s). Misty was sexually abused by her brothers and her fathers.

My father would lock me away in a closet and he would pass out drunk. My brothers would come and get me out and say "ssh, don't say anything," and then they would abuse me. And then I would have to go back into the closet before dad woke up so he wouldn't know that I came out of the closet.

Not only were abused children not protected by adults in their families, but official sources of support also denied and condoned male prerogative to abuse. Helping services were not experienced as a source of support, but as sites of power that colluded with adult male privilege. Jane disclosed her father's abuse to a religious authority and was told she "had to get down on my knees and say twenty hail Mary's. I don't believe in the Catholic church no more." Sometimes class and professional privilege operated to shield the abuser's culpability and deny children's experience. One woman's abusive father, for example, held a very prominent position in the community. Her school class was taken on a field trip to observe him at his place of work and he was held up as a positive example for her class. Laptop also felt her parent's abuse was

excused and condoned because of their middle class status. She felt that "the rich" hid behind "their fur coats and diamond rings and all that. Meanwhile, they're molesting their kids..."

Disclosure of abuse was often met with disbelief and punishment and by authority's collusion in protecting the abuser. Official agents such as police, teachers, and ministers did not offer a source of help, and thus many women felt betrayed and disillusioned. Participants said that as girls they "retreated into myself," "was in my own world," and "didn't express any emotions." Many decided they needed to find their own ways to try and stay safe and deal with the pain of abuse without adult help or support. As one focus group member said, underscoring the sense of isolation she felt as a child: "who do you run to? Nobody's gonna listen to you. I'd run away from home just to get put right back in there. Right back into the situation. Who am I gonna run to? There's *no where* to run."

The notion of disconnection from their families and the search for alternative connections and community was a common theme in these interviews. Most women said the abuse they experienced made them feel like "outsiders" within their own families. In addition, the shame and stigma around being abused alienated them from peers and adults who they felt would "know just by looking at me." Often women found community and connection with other stigmatized groups on the streets. While perpetuating their "outsider" status by involving them in illegal street life, these connections were important sources of community. RJ for example, left her childhood home to escape her abusive father. She found friendship and identification with another abused young woman living on the streets.

Every problem I had, it's like she had. And everything *she* was running from, *I* was running from. It was like two people running from the same thing and connecting... So, it was like, there was a bond there. So it was like, my other

family was gone. It was like *she* was my family.

The sense of being socially alienated or "outside" was exacerbated by finding community on the streets. Finding a "family" or connection with other "outsiders" helped to decrease their own personal sense of alienation while further alienating them from "mainstream" institutions and authorities that failed them. Alienation was sometimes described in terms of material and class relations. Jane, for example, spoke of the judgment she experienced from those in "a higher class" who expect her to lack intelligence, ambition, and skills. Many young women found that a community of other "strays" among addicts, prostitutes, and other disenfranchised street people, provided a space wherein background differences were diluted by the common experience of social ostracization. Jane said that although she had abstained from drug use many times, " I end up heading down town to familiar routes, because I need conversation, I need the compatibility, I need the friendship, the comfort...You turn around and start getting drunk and high because then *everybody's the same.*"

Isolation was also a key feature of male violence in their adult relationships. Women spoke of their experiences in terms of being "imprisoned" and isolated from family and friends. As Player said "I was all alone. I had no family and with the way he was so controlling, I didn't have any friends either. Like anybody really close that I could depend on. So like I said, I was like a prisoner in my own home." Medusa voiced a similar perspective about the control her husband exercised over her life and how this kept her abuse hidden. "...when I got beat up, of course, he'd keep me from [my family] so a lot of times they'd never seen me with the black eyes and the bruises or whatever, fat lip...so you know, I lived a very lonely life...." At times,

professional intervention also contributed to the continuation of violence and women's isolation.

For example, a Native woman called the police when she was being beaten by her husband.

When the police officer arrived he assumed *she* was guilty of an offence and treated her like a perpetrator.

...when the police arrived...one cop says to me...what did *you* do? What, you know, so I, I just clammed right up... like I had a stab wound on me and he's asking me what did *I* do?... Automatically *I* was given the blame... I told him to get the hell out of the house. I said what are you, why are you even here? I said you're not here to help me, it's obvious, so just get out... I tried to not have anything to do with the cops again after that. Because I was stabbed. You can still see the wound where I was stabbed. And it was coming out *here* [points to her head].

The sense that criminal justice officials only aggravate, rather than alleviate, women's struggles with violence was a common theme. Systemic racial and gender biases caused some women to avoid turning to them for help. One woman's experience illustrated quite concretely the way that professional authority can undermine women's safety. After her husband was released from jail, social service and correctional authorities placed him back in the home.

...they supported him to come back to the family, the parole board supported him, the Children's Aid supported him to come back, so they asked me about it and, hey, I believe in second chances... because I figured well *they're* the professionals, if *they're* willing to give him a second chance then he can't be all that bad.

The perspectives and actions of those in positions of power and authority often contributed to women doubting their own perceptions that they were at risk. In addition, potential sources of support that invalidated their experience and colluded with male violence, seriously limited the availability of alternatives.

Violence also enforced gender inequalities. During childhood many women witnessed the control that male violence exerted over their mothers as well as the children. Women said that

male violence in the home reenforced lessons that as women:

...you're a caretaker. That you have to take it all in. Doesn't matter what *he* dishes out to you, you have to take it all in. That *you're* the one that does the woman's work, not him. You do the cleaning. That you have no self-respect, no self-esteem. That you're to be seen and not heard.

Many women described the way that male violence in the home ensured their own role as care takers of both siblings *and* adults. One woman said that she was "a mother to my mother and my brothers." Several women described the ways that they tried to protect their mother from their father's violence, by either "turning his anger towards me," taking care of her after she attempted suicide, or trying to be "good" to keep their father's anger from exploding.

Being a good caretaker and adhering to appropriate norms of female behaviour were enforced not only through violence but through rewards. A focus group participant commented on how her abuser rewarded her appropriate female behaviour with material goods.

I was always raised to do things as the wife would do. So, basically slave over the man. Do this, do that. Do it this way. Make *sure* it's done this way...Anything and everything I wanted was given to me. (Pause) I mean sure I had to pay the consequences like slave over my father and all that stuff, but it didn't really matter. No matter how much I was abused by him, or from him or whatever, I still got what I wanted.

Similarly, an interview participant said she was "spoiled" as a child because after her father sexually abused her "the next night he would come home with a toy for me, or a new set of clothes, or different things. It was never love, it was always materialistic things." Sexual violence taught women that their sexuality was a commodity for men's consumption and that they would be compensated for their sexual availability. Jane described her marriage as "much the same as my childhood except no sexual abuse. Because I thought I had to give it to them, all my life. I

had to give it to him whenever he wanted it. If he wanted it then and there, I had to give it to him." Allusions to being "paid" for their sexual availability ran through many of the women's narratives as did being "sold" to other men. One woman said that her parents ran "a booze can-type-thing, where all kinds of people come from the streets and drank there, and I was sexually abused by several different men, drunken who would come through the door." Many women who had been abused as children worked in the sex trade industry as young adults. They described deriving a sense of power from prostitution that came from robbing and "sweet talking" their clients that was in contrast to their earlier childhood abuse experiences. Sarah, for example said, that robbing tricks gave her a sense of power.

... what kind of power do you have when someone hands you money and you take your clothes off and open your legs? You have none. And it's like, um, I never had control over my life growing up and it was a way for me to take control.

Several other women spoke of prostitution as a way to challenge gender relations that assume women's subservience and sexual accessibility. Jovinka emphasized the sense of independence she had in determining both her economic survival and the conditions under which she would engage in sexual contact.

And nobody questioned me. I did what I wanted. Nobody pushed me around, nobody did anything....Because I didn't have anybody to answer to. The money was *mine*. I flatbacked for that, so it's mine.

While working in the sex trade for practical economic reasons, women felt at times both violated and used and powerful and in control. There was a sense that by robbing, conning and cheating their clients, they were somehow challenging conventional gender relationships and "getting back" at the men that abused them.

Many women also said that male violence functioned as a means of ensuring women

remain in their appropriate roles as wives and mothers. It was often when they deviated from their husband's expectations of domesticity, that violence erupted.

I had to have the table set at a certain time...he got up a five o'clock in the morning because he had to be at work at six thirty. And I had to get up with him, make his breakfast, make his lunch, get him off to work. And I'd have to clean up the mess and get the kids up. So, it was double the work but the way he seen it I had to do it, it was the woman's work. He could not see himself getting up and making himself breakfast. Have to iron his clothes. His jeans had to have creases in them! Perfect creases. If it was out of place at all, I'd get smacked. If the floor is dirty, I get smacked.

Conforming to gender role expectations was also a means of trying to create a "home" for themselves and their family. One participant said, for example, that she initially "didn't mind" doing "the woman's work" such as rising early to make her husband's breakfast "because it was to be with my husband." Another said, "like I really did care for him. I really was trying to make a good home for us. It was just too bad that he didn't see it, you know, and I did." One of the effects of male violence was that it led women to internalize messages that they were "unsuccessful" mothers and wives which in turn discouraged them from challenging the power imbalances in the relationship. Jovinka said her role as caretaker was so well entrenched that her husband "calls me Mammy. He knew therefore his "mammy" was home, she'd take care of everything. She'd take care of his children."

Women described lives marked by continuous violence in their childhood homes, adult relationships, helping services and institutions. As young girls and as adults, participants made various attempts to protect themselves, fight back, and cope with violence. Resistance was met with varying degrees of success. Most commonly, women's resistance was responded to punitively.

As children, women made many active attempts at protecting themselves from further abuse. Several women, at very young ages, contacted the authorities themselves asking to be removed from their home. After being raped by several family members, Player called social services and told them to put her in a foster home "because I didn't want to be raped anymore." Getting help and protection was not always successful. Many women confronted extensive denial when they disclosed that they were being abused. Sometimes their disclosure resulted in subsequent beatings and/or sexual abuse. Other times, adults "turned a blind eye" and allowed the abuse to continue. Some women did not tell anyone, and "just stuffed in down inside me" fearing the actualization of the abuser's threats that they would "be taken away."

Most women who were sexually and/or physically abused during childhood left home at an early age to escape the abuse. Generally the "decision" to leave home occurred after many failed attempts to avoid and/or stop the abuse on their own. Since as children they received little protection from the adults and authorities around them, many left home to protect themselves from further abuse. This "choice" was one that left them with few options for survival and many provided for themselves by selling drugs, finding older men to care for them, and/or working in the sex trade. A focus group member said, in reference to the notion that women's lawbreaking is a choice, that "in not all cases we choose the life that we live. Like, I mean, I didn't *choose* to be a prostitute at twelve years old but it was something I had to do to survive."

Resistance to violence in the home inevitably led to criminalization. For example, after being sexually abused by her father from the age of six, Monica became pregnant with her father's child. Faced with her parents denial of her child's paternity, Monica left home to have her baby. As result, Monica was forced to leave school and financially support herself and her

child.

So I dropped out of school to raise my boy. I had him when I was fifteen, I wasn't even sixteen yet. And, uh, I went to a home for pregnant teens and I stayed there for three months after the baby was born and I went and moved out on my own. I supported myself by selling drugs, writing bad cheques. I had to figure out a way to support myself. Social services didn't want to help me, 'cause I could go back and live at home still. My parents were willing to let me live at home, but there was just *no way*.

Similarly, Player's involvement with the criminal justice system began very shortly after she escaped her abusive family members. After leaving the reserve and being placed in a white foster home, Player tried to maintain contact with her non-abusive family members. She did this by "running away" on the weekends to visit her family on the reserve. As a result of her failure to remain in foster care, Player was labelled "incorrigible and unmanageable" and was put in reform school. She pointed out the disjuncture between her perception of her trips back to the reserve and that of the authorities:

But I didn't think of it as running away....I thought of it as just *going home*. So how can they say I was running away? I wasn't running away from anybody. I was just going home.

The criminal justice system was unable to understand why she still wanted to see her family and criminalized Player's attempts to remain connected. Prior to being in a foster home, Player had been removed from her reserve and put into a residential school. The white foster home and the reform school perpetuated the severed connections to her Native heritage and culture that the residential school had begun.

Women's resistance in adult relationships with violent men was most often in the form of trying to stop the abuse while remaining in the relationship. Within the context of violent relationships women coped by self-medicating with drugs and alcohol and trying to keep their

husbands from getting angry. For many women, leaving the relationship presented serious risks to themselves, in particular the very real concern that their husbands would kill them if they left. Women said that they knew that if they left, their husband's would "hunt them down" and they would "get the beating of my life." One woman's escape from her abusive marriage caused her to lose everything she had and started her long involvement with the criminal justice system. After her husband's violence put her in the hospital, she decided to leave.

My nose was broke, my cheekbone, my jaw, my teeth kicked in, and they couldn't wire my jaw so they had to put a turnkey under here and tie it up here, wait for the swelling to go down. Then when the swelling went down they had to pick out all the broken teeth. They had to operate up here on the side of my forehead here, to elevate my jaw. You know, and my nose, they had to rebreak and fix, that's how bad it was.

In order to make sure her husband did not find her, this woman "went into hiding." As a result, she was forced to quit her job, close her bank account, and live on the streets so that her whereabouts could not be traced. Life on the streets and alcoholism began her involvement with the criminal justice system.

Abused women explicitly said that they felt "imprisoned" by male violence towards children and adults. The dynamics of abuse and the lack of available options for safety and protection limited women's options for resistance. Escape and other strategies to end abuse often were met with punitive responses from violent men and/or social service and criminal justice professionals. Women's options for resistance were often limited to strategies that further entrenched their isolation such as drug/alcohol abuse, homelessness, self-blame and incarceration. Many found that despite proclamations to the contrary, imprisonment and the services offered there, replicated the abusive family dynamics from which they had tried to

escape.

The "Therapeutic Community" and Constructions of Women's Risk

Researchers have stated that actual imprisonment replicates the power dynamics of childhood abuse by reinforcing powerlessness and stigmatization (Heney & Kristiansen, 1998). Recent Canadian correctional policy reforms to incarcerating women have altered the physical structure of prisons and the approach to prison management and security. These new approaches adopt a notion of a "therapeutic community" in which women are "empowered" to make better decisions and to take responsibility for their lives (Task Force for Federally Sentenced Women, 1990; Hannah-Moffat, 1997). Psychological discourse and frameworks provide the context within which women's needs and risks are defined and through which notions of a "good inmate" are constructed. As such, therapeutic language and programming is used as a means of encouraging women to self-regulate and is integral to the overall correctional machinery of discipline and control.

One of the primary methods of prison regulation and discipline is assessing and managing a prisoner's "risk" level. Risk is generally used to refer to a woman's likelihood of reoffending and her potential for institutional adjustment (Hannah-Moffat, 1997: 217). The recent trend in female correctional policy is to focus on psychological indicators that increase a woman's risk for recidivism and for institutional management difficulties. Therapeutic intervention is therefore used as a means of managing a women's "risk." Regulation of women prisoners is accomplished by assessing her psychological functioning using criteria such as anger, relationships with other prisoners, and conformity to their correctional treatment plan (Hannah-Moffat, 1997: 229).

Participation in therapeutic programming is an expected part of women's correctional treatment plan in order to qualify for release back into the community.

Women who had experienced violence often used therapeutic terminology to describe their emotional needs. Many of these women were or had been in various types of treatment programs for drug/alcohol abuse and/or trauma and thus were well schooled in the language of 'healing.' They were therefore quite comfortable with the dominant therapeutic prison discourse that describes their needs in psychological terms. Medusa, for example, described her own "healing process" as investigating "the dark side" of her life with her abusive husband. She felt that she needed to revisit these experiences and "forgive" her husband if she was truly going to free herself from his control. Monica also spoke about "forgiveness" in regards to her father's sexual abuse, because she did not want to perpetuate the abusive cycle with her own children. Other women spoke of their need to "deal with the past" and "find themselves" through counselling.

Their identification with psychological discourse ended, however, in terms of how to best achieve their "healing" goals. Psychological services were experienced as being regulatory rather than "healing" by serving the interests of the prison management. Criteria for "risky" behaviour such as anger, refusal to participate in psychological counselling, and "inappropriate" sexuality, undermined genuine desire to receive psychological help. These indicators of "risk" correspond to common notions of femininity that require women to be passive, heterosexual, and acquiesce to authority. Furthermore, enforced adherence to such models of feminine behaviour is a common aspect of male violence. Thus prison control and regulation of women's psychology and behaviour functioned as an extension of male control and abuse that denies women's experiences,

encourages self-blame, and punishes resistance to authority.

When a woman goes through the court process her "rehabilitation needs" are defined in terms of how to reduce her risk to reoffend. The factors that make her "risky" to society are determined by such professionals as police, judges, and social workers. It is the role of the correctional system to ensure that these issues get addressed, thereby furthering the agenda of the criminal justice system. Many women said that their own perspectives find no space within these types of narratives.

I realized when I first came in that you come in with a package. You come in with the court reports. And you come in with this and you come in with that, from the legal atmosphere. And there was no fucking way that I would be able to go over any of that shit and tell people it wasn't true. Because they ain't gonna believe me because the courts said it was true.

One of the biggest problems was that women's experiences were defined and categorised through legal, criminal justice, and correctional frameworks and discourse. Often times, these documents bore little resemblance to women's own interpretations and experiences and they "just basically label you from the files they have." The idea that written text, not the woman herself, provides the parameters of service delivery and perspectives, was a common theme. Charlie said that her opinion is so irrelevant that she tells people "to read it in the file. Because basically it doesn't matter...*what* I think."

The label of "bad inmate" hangs over prisoners heads and effects their opportunities for fair treatment, privileges, and release. If women refuse or resist an aspect of prison programming they risk being labelled 'bad.' Sarah, for example, did not want to see a psychologist as part of her correctional treatment plan. She felt that she and the therapist were incompatible and knew

that if she did not trust this person she would not benefit from counselling. Sarah was waiting for the chance to work with someone she trusted because she felt a strong desire to talk about her problems. However, the system interpreted her refusal to see the counsellor they appointed for her as "like I'm denying myself psychology." When women do not accept the "choices" the prison offers it is framed in terms of women's refusal to "get help." The granting or denial of privileges relies upon a prisoner's acceptance to "better herself" through therapeutic services. She is thus expected to engage in a process of self-governance in ways that may not be in her own best interest.

Even if women create the space to tell their own truths there are dangers in doing so. The perspectives and agenda of the prison system define and categorize women's behaviour in terms of their risk to be violent, use drugs, or self-abuse. Their chances of release depend a great deal on how their risk is assessed. A focus group member commented on how therapeutic programming is integral to the correctional machinery of discipline and control.

You're gonna say all this stuff and they're gonna say, "you know what, you need this program and you need that programming. We don't think you're capable of going outside because you're gonna hurt yourself or you're gonna hurt someone else, or you have all these anger issues." So, how are you going to talk to them? You're gonna just keep it to a level, 'cause you want out those doors.

Women's comments also pointed to the way that the system controls and "manages" women's anger. One focus group member was sent to see a counsellor because "they thought I was going to hurt myself." The counsellor's response was one that could only equate this woman's anger with indicators of risk and thus ignored the content of what she was saying. The counsellor said:

"Are you going to hurt yourself?". No, I'm just angry. Five minutes later, "are you

thinking of harming anybody?"... Now, I'm off! Like, I'm *already* angry. It's just like, they ask you stupid questions. .. "Do you need a time out?" No, but I think you should *shut up and listen* to what I have to say!

Many women stated that they were given psychotropic and anti-depressive medications to "control my anger" while incarcerated. Medusa's comment points to the contradictions inherent in medicating women's anger. She said that the anti-psychotic that the prison doctor prescribes:

... keeps me calm. Like I said, I had a lot of anger in me... I learned how to control...but it's just, it's hard not to get angry. I've tried so hard not to, but there's just so much that happens sometimes. It's overbearing, and I can't handle it.

Psychological discourse and frameworks are used as a means of controlling and delegitimizing women's anger. One of the effects of this is that women are left with few options for feeling strong or powerful if they are not allowed to express their anger. For some, anger has been an effective means of surviving continual abuse and as a focus group member pointed out, anger "gets you through everything." The prison system's response to women's anger leaves few options for relieving intense negative feelings. For some women, self-abuse is the only way to express themselves in an environment that punishes and pathologizes anger. Even this, though, can "get them in trouble" by causing them to be considered a suicide risk and in need of further "treatment". Sarah commented on the double-bind this puts her in:

Like I used to be very verbal in my anger and aggressive, and then I turned to slashing and kind of turned it inward...so I don't know which is the lesser of two evils for me, 'cause I can get into a lot of trouble when I go there.

In many ways the pathologizing of women's anger in prison mirrors that of the outside world. As Melanie stated, patriarchal norms that deny women choices inevitably culminate in women's retaliation.

....women are supposed to be mothers, women are supposed to be wives. Women

aren't supposed to get angry, women aren't supposed to get upset. They're caretakers, blah, blah, blah. Then...the anger comes, after a build up of so many years...

Many women viewed retaliation through lawbreaking as an expression of their anger and discontent about women's oppression. Not only must women's anger be "controlled" in the outside world, but their uncontrolled anger also disrupts the harmony of the prison environment. The notion of "community" is often invoked to refer to the prison institution and the means of cooperating and living together. Prisoners are supposed to see the prison "community" as a rehearsal for life on the outside because they are being taught "to learn to live - like when you get out - how you can learn to behave."

Notions of community and its related construct, "pro-social" are also used to control and regulate women's behaviour. The term "pro-social" places parameters around acceptable kinds of contact with other prisoners and means of resolving conflict. As such, pro-social is a construct used to measure a prisoner's adjustment to incarceration and to gage if she is a "good inmate." Participants in the focus group pointed out the double bind that being "pro-social" presents for them. One woman said that "pro-social skills to me is caring, sharing, understanding, playing." However, there are rules that govern the nature of women's contact with one another that prevent them from realizing their definitions of pro-social:

They're telling us to share, we should be sociable, we should all get along. But if we're going to lend somebody something or somebody gives you something, you're charged for it. And you're going to have to pay a price for that. You get privileges taken away just for simply being nice to another inmate.

Rules that prevent women from sharing and relying on each other reenforce messages that pro-social living means isolation.

So basically they're isolating you to your own place, your only square box. Which is no better than being on the street with nothing. So, what are you saying, that I should live with nothing for the rest of my life?

Concepts of *community* and *prosocial* reflect liberal understandings of independence that mean self-reliance and separation. Women were penalized for interdependence and reliance upon one another, qualities that are congruent with their perceptions of "community." On the other hand, if women were perceived as isolating themselves and having little contact with other members of the prison community, they were labelled as "anti-social." A focus group member said that if women do not talk with other prisoners they are felt to "lack trust, you're anti-social and you have no empathy."

Ideas about community and appropriate behaviour regulated women's sexuality as well. Although lesbian relationships in prison are tacitly tolerated, women did encounter homophobic attitudes. Prison staff refer to the institution as "homo haven" and "camp lick a chick" and prisoners can be charged if they are discovered being sexual with one another. As Sarah told me, "you're allowed to lie in somebody's bed, but if you're naked or sleeping or being sexually active, you're charged." Women's heterosexuality is regulated by rules that punish women for "holding hands in the hall" or being sexually intimate with one another. In addition, homophobic attitudes that equate lesbianism with deviance were also used as a means of assessing women's risk to reoffend. Charlie said that the parole board used her sexuality as a justification for deeming her a release risk. Parole board officials questioned the impact her lesbianism would have on her successful reintegration back into the community. As Charlie said, "I don't much think that my sexual orientation has to do with whether I'm going to commit another crime or not. I don't think they have the stats on whether lesbians are the highest criminals. I think that's

what they think."

Governing women's sexual relationships not only furthers a heterosexist agenda but also ensures adherence to prison control and authority. Lesbian relationships provide women in prison with one of the few opportunities for resisting prison scrutiny. As one woman said "... it's none of their business. It's bad enough every piece of information that is on paper, they have it. They have to know my personal too?" Another woman spoke of a program facilitator's concern that her relationship with another group member would interfere with the group dynamics. She said "our personal life, is our personal life. It's not for the whole institution to see." Lesbian relationships allowed women to carve out a sense of private or personal space within an environment characterized by scrutiny and surveillance of almost all women's daily activities. Heterosexist rules that punish same sex contact undermine this particular strategy for resistance to prison power.

Women's Relationships: Safety and Autonomy

Relationships among imprisoned women, despite being scrutinized and regulated by prison authorities, were also a site of resistance and safety for many women. For many women who had survived abuse, prison was one of their first experiences of living free of male violence, thus in contrast to their lives outside, prison was considered relatively safe. They spoke of being "free for the first time in my life" because they were no longer dealing with the constant threat of abuse. Ironically, actual incarceration was experienced as more liberating than the free world. For women involved with violent partners, "free" life had been marked by constant fear, control, and physical and sexual assault. As Jovinka stated, "I lived in an uncertainty. It's [threat of

violence] just hanging over me all the time. I didn't know what's gonna happen tomorrow."

Many women felt that "being incarcerated at this time is better for me" and they were using their prison time to "learn more about me" and to "make a plan what I'm going to do." Living in constant fear of violence made planning for the future very difficult to do: most women were simply focussed on the daily survival of themselves and their children.

Many women spoke of the significance of establishing new relationships with women who share similar histories and experiences and who have also been stigmatized in various ways. The community of women provided an opportunity to learn about other women's experiences and develop new relationships. One of the features of these relationships was a feeling that social inequalities and hierarchies are neutralized among women in prison. One woman commented that her whole life had been characterized by stigmatization and alienation. Referring to being incarcerated she said " I feel like I belong here. Like there's, there's a place now that I don't feel that one's better than me or anything like that." The notion that prison is somehow an "equalizer" was also raised by Melanie, who viewed refusal to conform to patriarchal constraints on women's choices as the common bond uniting women in prison:

....like there's women in here that have come from all different walks of life. From women that've lived in rich houses to women that've lived on the street. Eventually something triggers them that they either act out violently, or turn to drugs and end up doing whatever they do to get the drugs.

Women derived a sense of strength and optimism through feeling connected with other prisoners and sharing a common history. Misty said that knowing that other women have survived similar violence helped break her previous sense of isolation:

And then listening to some of the women out there and what's happened with them, well, my life isn't, it isn't any different than any of them out there. I mean,

you hear my story, but then there's always someone worse off and I'm thinking well, we're all fighting for the same, you know, good things that you want in life.

Many women said that both lesbian and platonic relationships in prison were their first experiences of nurturing and acceptance. A young focus group participant, for example, said that her prison family has replaced her abusive biological family by guiding, supporting, and caring for her. As a result, she felt that her criminal conviction provided her with the first opportunity she has had to be in violence free relationships.

So I'm really happy I found my family here. So, I mean, my consequence for robbing a bank was nothing, I'm so happy I did it. And if I could get *all this* again, I would do it ten times.

Similarly, Monica said that "I regret some things that I did with my life. But other things I don't. Like getting picked up and coming back to jail" because it has given her a chance to live without being abused.

The significance of non-violent relationships was underscored by the effects that prior traumatic experiences have had on their relationship expectations. Many said that the pervasiveness of violence in their lives has left them "emotionally drained" and in a constant state of anticipation of further abuse. RJ said that her history of abusive relationships has "scarred me" because "now every relationship you go into you're going to look for someone whose going to beat you. You don't know what to expect." Many women said that their past experiences of childhood and adult male violence cast a shadow of fear over all other relationships. For example, one woman spoke of the constant fear and anticipation of waiting for abuse to occur within her current relationship with another woman in prison:

I'm always thinking, when she's gonna hit me? When's the name calling gonna start? When am I gonna have to do this for her, when am I gonna have to do that?

And I don't tell her, 'cuz I don't want her to know I'm thinking this. So I sit there and I anticipate it, and I wait and wait. I'm walking on egg shells. But it never happens. And that's what scares me. I'm so used to being hit and abused. It's second nature to me now. So every day I think okay, is this going to be the day it changes?

One of the most striking features about their comments about lesbian relationships was that these experiences were the first time women felt equality and independence within a partnership. Participants emphasized the importance of equality, cooperation, and power balances that characterized their same sex relationships and that were absent in their heterosexual experiences.

...Being with a man, he expects *this* to be done, he expects *that* to be done. When you're with a woman, it isn't like that. At *all*. You share. It's equal. Equal companionship. And the way I've been raised, it's not that way. It's always ninety to ten percent split. Man - Woman. And now it's fifty-fifty split. Everything's split right down the middle... You work together instead of working apart. It's neat.

The freedom from violence and gender equality these women found in same sex unions allowed them to feel independence within a relationship. One woman said, "We're not attached at the hip...she's an individual, I'm an individual. It's absolutely great." Moreover, the significance of being involved in a relationship free of violence, ran through all lesbian women's narratives. Sarah said that her partner "doesn't try and overpower me and I don't try and overpower her, in strength or anything like that. And I've never had anything like that before, you know, it's like, it's my best friend." The irony of finding safety and independence within a prison was not lost on these women. As Monica pointed out:

This is the first time in *any* kind of relationship that I've never been abused of any sort... I come to jail and I have to find that kind of relationship. It's pretty, it's pretty ridiculous when you think of it. The world is, society is *so* screwed up. If you have to come to jail to have a relationship like that, so be it.

Summary

Recent women's correctional policy reforms have shifted the focus of women's incarceration from *security* to *therapy*. Since women's lawbreaking has recently been connected to feelings of low self-worth, therapeutic approaches to rehabilitation function as a means to make women into responsible, self-confident, *and* law abiding citizens. Although the premise behind the "therapeutic community" is that women need to "heal" and be "empowered" from male violence, psychological discourse and programming replicates power dynamics inherent in male dominance.

The "therapeutic community" encourages conformity to gender inequities and functions as an extension of patriarchal ideologies and structures that define appropriate female behaviour and punish failure to conform. Psychological discourse and programming, under the rubric of "healing," in fact replicate ideologies that control and define the standards for women's behaviour and is integral to prison mechanisms of discipline and control. Resistance to this type of regulation is punished through increased security and/or further "treatment."

Although in many ways prison power is an extension of male power, the all female living environment provided a space for safety and resistance. As the above participant said "society is *so* screwed up" when women feel a sense of safety while literally incarcerated. Safety and autonomy were gained, not through prison programming and relationships with staff, but through contact and communication with other imprisoned women.

As noted above, the black women who experienced violence did not find a sense of safety, as did the other women, in the prison environment. Although one of these women did speak of incarceration as a welcome break from her violent husband, she and others did not find a

pocket of safety in prison. The primary problems confronting white and Aboriginal women in this study resulted from their relationships with violent men. The all female living environment of the prison provided them a sense of protection from this violence and enabled them to seek refuge within their relationships with other women. In contrast, black women's main problems resulted from their *relationship to the state* and other mainstream institutions. The prison, as the most extreme representation of state control, replicated unequal power dynamics against which black women struggled while outside. The economic basis of black women's lawbreaking and experience of prison are discussed in the next chapter.

CHAPTER FOUR

RACIALIZED WOMEN: ILLEGAL WORK AND ECONOMIC INDEPENDENCE

The following analysis is based on data gained from five individual interviews with black women and one focus group with black participants. The focus group data provides a contextual frame for understanding the individual stories told during the life history interviews. During the life history interviews, with a few exceptions, women underplayed the impact of culture and race on their experiences. They often spoke of their illegal activities in individualistic terms, framing much of their story within the “bad choice” narratives indicative of criminal justice discourse. In contrast, the central themes of the focus group related to racialized experiences and their relationship to lawbreaking. In the focus group women spoke of themselves and their experiences as being part of a larger common Caribbean-Canadian women's experience. They invoked notions of black community, Caribbean gender norms and values, and the economic basis of their lawbreaking. The life history interviews together with the focus group therefore provided rich data about the subjective and social experiences of this group of black women.

Wilkinson (1998) writes that many feminists use focus groups as a data collection method with the idea that sharing common experiences allows women to “develop a clearer sense of the social and political processes through which their experiences are constructed...” (115). It is not clear whether the focus group participants “developed” this analytic sense through the group process or whether they just felt more comfortable sharing this information in a group of other black women. My sense was that my whiteness, representative of social privilege and power, carried more impact in individual interviews. Possibly, the gathering of a group of black women together with one white researcher helped to offset this power imbalance somewhat.

This finding speaks not only to the social nature of knowledge construction but may also speak to the issues of race and power in black women's lives. As Sherene Razack points out, the power to document and interpret is inherently political (Razack, 1998a: 52). The issue of self-representation is particularly salient for women of colour whose stories are being heard and interpreted by a white listener and who must decide "what kind of tale will I choose to tell, and in what voice?" (Razack, 1998a: 53). As a white woman interviewing black female prisoners my whiteness represents not only white social privilege but within the context of the prison, whiteness represents the authority of the correctional system. There are therefore strategic advantages for women to self-represent in a way that does not overtly threaten white supremacist values. As Trinh Minh-Ha writes, because of her status as Other "the woman of colour is condemned to representing herself as she is seen by the dominant group" (quoted in Razack, 1998a: 52). The data that emerged from life history interviews that downplayed racialized experiences is a product of the dynamic between myself, a white middle class woman, and poor, black, incarcerated women. This dynamic is a product of social positioning and privilege that discredits and distorts black women's knowledge and privileges the voices of dominant groups.

It is also likely that the specific nature of prison racism influenced the content and form of what black women said to me. This particular prison bristled with racial tensions and there was a general sense that "race riots" could erupt at any moment. The dominant prison discourse about race was one that framed any claim of racial inequity as 'crying racism', thus undermining the complainants' legitimacy. Participants may have been wary about sharing racialized experiences with me, as the climate was such that black women's experiences were generally discredited. As one participant said to me after I asked about the impact of racial oppression on black women's

lawbreaking, “it depends on where you’re going with ‘race’.” Her request for clarification points to an awareness that issues of race can be picked up in various ways, often to the advantage of privileged groups.

Razack suggests that the challenge for feminist researchers is to find ways to represent black women that do not replicate the standard white female or black male narrative. She suggests that we look to the contradictions and tensions within black women’s narratives in order to create alternatives to these standard scripts (Razack, 1998a: 55). One of these tensions was the muted theme of racism within most individual interviews and the dominant theme of racism in the group interview. In an effort to understand this tension or disjuncture, data analysis involved an iterative process of moving between individual and group data to better understand the relationship between lawbreaking and the social experiences of this group of women. The central organizing themes that emerged from this analytic process were economic marginalization, structural and systemic racism, and the role that illegal behaviour played in women’s attempts to gain economic independence.

Women whose illegal behaviour can be understood as an attempt to gain financial independence were convicted of shoplifting, drug importation/trafficking, and/or fraud. None of these women themselves said they were addicted to drugs but were being paid to either import or sell them. None of these women were convicted of violent crimes or crimes against a person. As a result, their prison sentences were comparably short, with sentence lengths ranging from just over two years to four years. Six black Caribbean-Canadian women in this study fell into this category. All were born in either Jamaica or Barbados and immigrated to Canada when they were young children. Four of the six women had at least some college education. Four women also had

children for whom they were sole providers. Some of these women's experiences also overlap with the previous chapter's analysis of violence. For example, one black woman's illegal behaviour was significantly related to her marriage to an abusive husband. Another black woman experienced childhood abuse which led to her street involvement. However, the common thread that links these stories together is their attempts as black women in Canada to gain independence and the role that lawbreaking played in trying to achieve this goal. Two sites of conflict were identified as thwarting women's independence; the lack of opportunities to secure financial resources and racist ideologies and systemic racism. These two sites of oppression interlocked to enforce and perpetuate black women's marginalization and position them "outside" white Canadian society. The central themes running throughout these narratives were: black women's economic marginalization; racism and outsider status; the relationship between illegal work and social positioning; and the prison experience as an extension of societal oppression. These four themes are discussed below.

Black Women's Economic Marginalization : "I'm Just a Crab in the Barrel Trying to Crawl My Way Out, But There's Nothing to Grab on To."

During individual interviews and the focus group women spoke of their dreams, desires, and goals in terms congruent with socially sanctioned values. For example, they placed a high premium on self-sufficiency, education, planning for the future, providing for their children, and heterosexual unions. The conceptual theme underlying these issues was that of *independence*. Independence was a term which women used to describe both their own personalities and a mode or means of structuring their lives. Independence meant "fending for myself," not asking for help from others

("I'm not a beggar. I hate that"), and minimizing the control that other's have over their lives. The following quote typifies their perspectives on independence.

I am a *very* independent, resourceful person. I will do anything and everything to provide the best for my family. There are certain things I won't do, because that's not me. I'd rather go out and steal a turkey, before I'd ask a man to buy me a turkey. Because I'm independent and that's the way I saw my mother, she would rather sacrifice and do it herself, than ask anybody to help her. So, I am set in my ways, kind of, because this is the way I seen it. And I've been watching it from generation to generation, right back down onto me.

Despite aims of self-sufficiency, black women found that their independence was being undermined by inadequate job wages, government and social services, gender inequities, and systemic racism. These factors all intersected in various ways and at various sites to produce conditions in which their options for survival and independence were extremely limited.

Women in the focus group said that their motivation for breaking the law was "financial gain." They distinguished their own lawbreaking from that of other women whose crimes are often seen as connected to addictions and abuse. As one group member said:

So all the black women I know are in this institution, they're here for financial gain. None of us are suffering from the norm of being a drug addict or being sexually molested by our father...We're in here purely for financial gain. We don't fit the stereotype of the "normal" inmate that's in here. We're here for *financial gain*.

Women seemed acutely aware that the way that "a normal inmate" is constructed has little to do with their own experiences. When discussing the circumstances of their conviction, their stories reverberated against the dominant narrative about women in prison: that they are victims of abuse and that their lawbreaking stems from this victimization. A black focus group participant stated:

You can't say it's because of the abuse. I've never been abused so I can't say that I done it because of that...The reason I did it was because of money. I wasn't abused.

It was because of money.

Although some of the black women in this study were victims of childhood and/or adult male violence, in all cases the primary motivation for breaking the law was the need for money. The refusal to accept the dominant psychological/abuse script is captured in the repeated comment that they broke the law for “financial gain” and “because of money.” In asserting the primacy of lack of money and opportunities in their lives, black women emphasized the political roots of their struggles that the psychological/abuse script minimizes. These women spoke persistently about the *social and economic* causes of their need for money.

The reference point for economic survival for black women was ‘the poverty line.’ Their basic motivation was to avoid, as Goldtooth said, “falling under,” meaning living in poverty. All of the black women in this study had worked low level legal jobs within such places as corporations, financial institutions, cleaning agencies, and health care facilities. Low wages and the inaccessibility of child-care services made it almost impossible for many women to financially survive. Jovinka said:

I couldn't make ends meet no how. So, I had to go sell drugs, steal or whatever, to put food on the table... And I didn't want them [her children] living in poverty. I did not grow up this way. I brought them into this world, I wanted to give them a better life, but there was no way I was going to accomplish that nine to five.

The idea that a “nine to five” job did not cover living expenses, child-care, and/or education was pervasive throughout both individual and group interviews. Goldtooth remarked that her attempt at full time employment “just wasn’t working! My three hundred and forty dollar pay cheque. Expense for the week. I live in a halfway house. I have to eat everyday. My child has to eat.” Their stories reflected a strong desire to engage in the work force and further their education but low wage jobs

prevented them from accomplishing this through legal means. Sandra, for example, had been self-supporting since she was sixteen years old and had made college education her priority. She had always worked at least two part-time jobs while attending school. Her situation is typical of the long hours and low paid work experienced by this group of women. Sandra commented that her prison worker was confused by her story because it does not represent the “normal inmate” narrative. Sandra emphasized to her worker the amount of time and energy she has expended trying to “succeed”:

And I said, I said, if you were supposed to go back and check up on my work history, you would wonder when did I find time to sleep, to the amount of jobs and school that I was going to at the time. So it’s like, did you ever have time to, to rest?

Women’s stories were full of examples of a constant struggle to avoid poverty and resist marginalization. Jovinka commented that being incarcerated, although a miserable experience, is actually a “vacation” from her daily struggles to support her family.

The last time I was incarcerated... that’s the first vacation I had... That’s the first rest I ever had. Because every time you saw me, you saw my troop, eh. Or, you know twenty four seven I’m worrying about them, trying to secure...so, that was like a break for me. This time it’s again. I don’t go on vacation.

Interpersonal and systemic patriarchal relationships also undermined women’s economic independence. Of the four women who had children, all were sole providers and primary caretakers. They described their relationship with their children’s father as one that placed childcare responsibilities squarely on the woman’s shoulders. Gender norms that allow men to absolve themselves of responsibility for their children forced women alone to find the resources to support their family. As one focus group participant said, her children’s father takes care of his own needs

but "but because I'm the mother, he wants me to fend for the *children*." Another commented that black women are "out there and we are the mother, the father, the aunt, the grandfathers, to our families."

Gender inequities and the embodiment of patriarchal values and practices often intersected with inadequate job opportunities to compound women's economic struggles. One of the clearest examples of this intersection is Puss's experience. After working at a multi-national corporation for many years, Puss left her job. She had been bypassed for many promotions which were granted instead to white men. After a colleague told that she should accept the fact these men have families to support and therefore deserved a promotion, Puss accepted a lower paying job at a different company.

So I looked at it that way...this is a man's world... It hurt, it bothered me, it left me bitter for a while and that's one of the reasons why I left, probably. One of the *main* reasons I left, 'cause I'm getting bored with it and I am not moving further. I'm not moving anywhere further any time soon... I did feel that bitter toward the people that moved him up and kept me back, but then what can I do? You're in a society that's run by males and they'll always push Joe up the ladder and keep you down because Joe's got a wife and a couple of kids.

Although women expressed a strong desire for employment opportunities, the market place was seen as undermining autonomy through inadequate wages, little control over the conditions of work, constant scrutiny and humiliation, and gender inequities. In fact, the market place was experienced as a form of social control that perpetuates black women's marginalization and oppression. During the focus group women spoke about the continuing cycle of black women's economic marginalization that they had witnessed throughout generations. They spoke of the daily grind of their mother's lives that resulted from working in low wage, low status, and oppressive conditions.

I look at my mother, god love her, she's fifty-five years old, she's still breaking her

back working in a job for twenty two years But the aggravation, the humiliation, the stress, the oh, I want to lay in my bed and sleep but I gotta get up and to go make twelve fifty an hour... Why am I gonna go to work from eight thirty to four thirty, take someone pushing up underneath me, stressing me, undermining me, always looking over my shoulder, to make that? When I can go out there and hustle for three or four hours come home with an easy fifteen hundred dollars, and I don't have to answer to nobody besides myself.

Despite a strong desire "to answer to nobody besides myself," circumstances sometimes led women to seek help from government and/or legal services. Some had received government financial assistance at various periods in their lives, particularly when their children were very young. However, welfare and subsidized housing were experienced as perpetuating racist and classist practices from which they were trying to find relief. For example, women generally found the process of receiving welfare degrading and inadequate for survival. There was a common perception that receiving welfare meant acceptance of living in poverty. One respondent stated "If I wanted to stay on welfare I could ... but my kids would be under the starving margin. And there'd be like serious poverty and what's the sense?" Another woman commented:

...it's too hard to survive on social assistance in this country, it really is. I would like to talk to someone who has four kids, who has lived through the turmoil I have lived through, and tell me how they existed. 'Cause there's *no way*. There's *no way whatsoever*. You gonna steal, you're gonna do something. I stole.

Women spoke not only of the inadequacy of welfare in providing them with enough resources to support themselves and their children, but of the degradation and mistrust they experienced from the professionals charged with dispensing welfare cheques. Women remarked that "sometimes they make you feel like you're degraded" and "they just think you are milking the system." In addition, professionals associated with the state were not regarded as helpers or allies, but rather as extensions of state control and surveillance:

And when you reach the age of sixteen where you can make decisions for yourself, you don't want nobody making decisions for you...But they just nose into your life, everything thing, everything you do, you've gotta think, where are they? What are they thinking? What's gonna happen next?

As another participant noted, "Sometimes you don't want the system in your life anyway. They control it."

Affordable housing was also a significant issue for this group of women. Many felt that government financial assistance did not cover the cost of rent and living expenses. One participant saw subsidized housing as embodying systemic racist and classist practices that perpetuated and enforced black people's ghettoisation and marginalization.

And then when you do get into [subsidized housing] they want to stick you in a predominantly *black* area where all the *black* people are, where they think you want to be. So, you start a chain that can't be broken.

In order to resist this method of marginalization some women avoided subsidized housing opting instead for living in non-black dominated neighbourhoods. This often further aggravated their need for financial resources to cover the cost of providing for themselves, their education, and/or their family.

Some women sought help from legal and social services at various times. One woman's story illustrates the way that the legal system reflects and colludes with patriarchal values. After her marriage broke up this woman's income dropped drastically, as her ex-husband made almost three times her yearly salary. She sought legal help to force her ex-husband to pay child support.

And then when I went the *right* way, and went to court and said to the judge "I'm separated, I want child support", it took a *year* for them to garnish it from my husband's pay. So, in a way, society does help us to a downfall, 'cause when you go the right route they take forever to get it done. 'Cause the men done bull shit, lie, hide, dig, bury.

Another woman attempted to "go the right way" only to find herself being told that her children would be removed from her home if she did not find a way to end her husband's violence. She had contacted a social service agency in hopes that *they* would help her "do something" about the abuse.

Shoplifting, fraud, and drug importation were a means of releasing black women from the poverty and racist practices that reinforce their marginalization. Relying upon or supplementing their income through illegal jobs, women were able to adequately provide for themselves and their family. Having their own money gave them a feeling of security and well being knowing that they could provide for themselves. As Goldtooth said:

....it made me feel independent. Really independent. I don't have to ask you for nothing. At least I could always stand on my feet. No problem. No problem.

Women broke the law in an effort to "stand on my feet" and survive economically in a society that provides them with very little opportunities to do so. In contrast to experiences with work and welfare, illegal means of acquiring money meant that women did "not have anybody to answer to." One focus group participant said that black women "don't want to be on welfare. So what we do, we import, like myself. Or we do fraud or we shoplift. Just so that we don't have to answer to somebody else."

Black women's life stories and political and social reflections about their experiences point to the many obstacles that create and perpetuate black women's marginalization. Their goals of independence and self-sufficiency were consistently undermined by systemic practices that keep black women in low wage positions and/or reliant upon inadequate and oppressive social assistance. In addition, social and legal systems ostensibly designed to foster independence embodied racist, sexist, and classist inequalities which exasperated rather than alleviated women's struggles.

Underlying and compounding all of these struggles were institutionalized forms of racism. Racism was experienced as a constant and pervasive force that assumes black women's inherent deviance and limits the available options for survival. Although not always explicit, commentary about racist ideologies and practices was a steady undercurrent in the black women's narratives.

'Oh, Negro, You Can *Never* Do That': Racism Perpetuates Outsider Status

The type of racism that most women spoke of was attempts to undermine their self-confidence in the form of messages that they cannot succeed in white society. Generally, this referred to messages that they are "not going to be anything." These messages may be overt or subtle, but as one woman said, they are always a form of "verbal abuse." Racist messages about black women's inherent deviance and inevitable "failure" were viewed as pervasive and widely dispersed throughout all aspects of women's lives. As such, racism was seen as an inescapable fact of life. Although black women experienced some degree of interpersonal racism, their stories predominantly highlight the effects of ideological and institutional racism within such places as social services, educational institutions, and prisons.

Racist ideologies and practices position black women on the margins of white Canadian culture. Although women made many attempts to enter mainstream social and work life, they consistently encountered obstacles undermining their participation. Black people's marginality and the limited options available for survival, were reflected in the following story. RJ detailed a story about a black man she met who had just recently immigrated to Canada. This man had been given drugs by someone who said "as a black person this is the only way you're going to survive in

Canada. And he gave him the drugs and said *sell it.*" The idea that black people's chances of survival are limited to illegal means lay beneath some of the women's expectations about their own possibilities of survival. Sandra spoke of the high premium that her parents, still in Barbados, placed on her obtaining a Canadian education. She was relieved that she had followed her parents advice and attended college, despite the fact that to do so she had to work several jobs and still could not afford her education costs. Sandra said:

I can actually say I can understand when my parents were always saying, oh you need an education. Because you do need an education. Because when I think about it, if I didn't stuck with school, maybe I would have been here for something worse than what I am in now or, you know, I would have probably wind up doing something else.

For many black women, acquiring an education was a means of enhancing their chances at survival. In the example above, high tuition costs for specialized training deterred Sandra from being able to complete this goal. Another woman found that a counsellor in a social service agency thwarted her decision to return to university. The counsellor's comments gave Goldtooth the impression that she should not have expectations for herself beyond the low wage jobs available to her.

Get out to the half-way house, 'oh, do you know how *much* university you're gonna need?' Thanks a lot. That's like kicking me in the ass. 'Oh, Negro, you can *never* do that.' ... So, get used to this life and go back to eight dollars an hour.

Black women not only received messages that they will never amount to anything but also that they should not even try. Institutional biases such as that in the above example condone black women's oppression and urge them to resign themselves to a life of poverty and marginalization.

One of the most common racist ideologies that black women confronted was the notion that

“blackness” equals deviance. RJ, for example, told a story about how she is assumed to be “criminal” or dangerous, because she is black.

I've been at...stop lights and the light turned green and I'm gonna walk. And I'm walking across the street and I hear 'click', 'click', 'click'. And I'm like, 'na, she didn't really lock her door?. He didn't really lock his door? I'm like, ahhh, that's *so* bad. What, am I *really* going jump in your car in broad daylight and rob you, or something like that? You know?

White supremacist ideologies that construct “blackness” as inherently suspect is “a strike against you” because it can always be used as a weapon against black people’s credibility. Many women’s comments revealed the challenge of asserting one’s own truth and experience into an ideological frame that assumes their dishonesty. By way of illustrating the disjuncture between black people’s assumed dishonesty and deviance and white authority and credibility, RJ said:

....[Y]ou can just go up to Case Management now and say you had me in this room and I stole your pop. And it'd be the shit hits the fan. It's so *believable!* Yah, she'd do it, *look at her*. It's so believable.

RJ's comments reflect the idea that the “objective truth” of her experience is irrelevant because white supremacist attitudes counter its validity by assuming her inherent dishonesty. Her comment may also be understood as a message to me; that although she is sharing personal information with me it is at her own peril that she is doing so. This point was underscored by the statement that it is dangerous to trust a white person even if on the surface they appear safe, because racist attitudes are likely laying dormant.

And it's so hard, like, you don't know who to trust. You know, like, you've got some white people saying, “I'm not prejudice, I'm not prejudice.” But as soon as we start arguing, “fuck off, you're *nothing but a nigger* any ways”. You know, and it *hurts*. And it's *hard*...‘Cause you know when you're angry and you say stuff, you wanted to say that from the get go. It's not ‘cause you're angry and you said it, you wanted

to say it from the get go.

The idea that appearances can not be trusted was one that ran throughout much of the black women's narratives. In particular, the "pretty prison" was viewed as a facade behind which racist practices were condoned. Many black women stated that they had never experienced as much racism or heard so many allegations of racism in any other prison or in the outside community. One woman remarked that racism outside is better concealed whereas when "you come to jail, you see it a lot. And that's where it is the most. You won't hardly see it on the street... If they are racist, they're hiding it from you." Racism on the street may seem easier to escape because as one woman told me, "I kind of really kept to my own." This woman stated that she preferred to socialize primarily with black people, as a way to avoid white racism. Another woman also spoke practically about how to deal with racist individuals by simply not talking to them. Sandra said that if your neighbour is racist, "you can't stop your neighbour from doing it... and you don't have to talk to your neighbour on top of it. Because your neighbour's not paying your rent." Her comment, however, is contingent on the racist neighbour not being in an organisational or institutional position of power over her.

One of the reasons that racism in prison is so visible is because the power dynamic between white authority and black subjugation is daily and pervasive. Women have no possibilities of escaping racism within the prison system, given they continuously encounter and rely upon the authorities for their basic needs and for release from prison. Although one focus group participant said "I think the systematic racism is, like, you can't pin point it, but you can feel it around you" she and others clearly articulated some of the ways that prison racism manifests itself.

But in here, it's like, you see a lot of favouritism between the white and the black

girls. Like you see a white girl will get something, and you ask for the same thing, "na, na, na." You walk away, you turn around and see the next white girl getting something you just asked for and was turned down. So, you've gotta wonder what's going down.

Another woman commented on the way that prison authorities homogenize black women and strip them of their individual identities.

Two black girls get in a fight, it's like "*two black girls got in a fight*". That's it, that's all. You know, *name* them. They've got names as well.

Racist stereotypes about black women that deny individuality may pose a challenge to the cultivation of a collective sense of solidarity among incarcerated black women. There are strategic advantages to asserting one's individuality that may involve denying identification with other black women. For example, a non-black woman of colour told me that "I don't look at myself as a brown woman. I look at myself as a woman first." The intensity of prison racism discourages racial affiliation by denying black women's individuality and by stereotyping all black women as "just troublesome and greedy." Furthermore, the dominant prison discourse frames allegations of racial injustice as "crying racism," thus discrediting the potential legitimacy of such claims. There was a noticeable division among the black women I interviewed in how they felt about bringing forth issues of racial inequalities within the prison. Some women felt racist allegations were just and valid and said they experienced daily and intense racism. A few others adopted the dominant story that black women were using racism as a "weapon" to manipulate the prison administration into giving them what they want. Both stories may contain validity but what is significant is the undermining of women's attempts to draw attention to their experiences of racial oppression and to reclaim a sense of personal power. The belittling connotations of "crying racism" also discourages women of colour from disclosing racist

experiences and allows racism to remain unchallenged.

Women dealt with daily and pervasive racism both inside and outside by trying to resist internalizing messages about black women's worthlessness and deviance. This is a particular challenge within the prison system which individualizes and pathologizes women's lawbreaking. It is even more difficult for black women whose frames of reference do not coincide with those of the criminal justice system and whose experiences are defined through a white perspective. For example, a focus group member pointed out the incongruity between how prison programming frames women's struggles and her own experiences. When talking about one of the programs this woman was mandated to take she said "I don't have low self-esteem just because I did this. I *love* myself, that's why I did this. I wanted money that's why I did this." This woman related her refusal to live in poverty as "loving herself;" as in fact taking steps to ensure that she would not succumb to the assaults on self-esteem that being black and poor can bring.

Women spoke of racism as an inevitable and relentless fact of life over which they had little control. Comments such as "you can't stop your neighbour from doing it [being racist]," "you can't beat out what's there before and what's going to be there after us," and "you can't *change* it, and rewrite a new song" suggest a resignation to the constant reality of racist assault. The area they felt they could control was their own *responses* to racism. As one focus group participant said "when you're growing up, if you're not from Canada, or you don't look like you're from Canada, you have that to deal with all your life. How you *deal* with it is up to you." One method of dealing with racism was to resist internalizing negative messages about black women. Goldtooth offered the following commentary on self-esteem:

You know my self-esteem isn't too low...I have four nice little kids to look out for and to live for. And if I decide to make my self-esteem too low, I won't be a fit person to nourish *them* and to give *them* any kind of encouragement

Goldtooth felt she had a choice whether or not to internalize negative messages about black women. She can "decide" whether or not she has low self-esteem. She implies that although she herself did not receive nourishment and encouragement, that she does not have to perpetuate this with her own children. In this sense, having high self-esteem is a method of resistance to racist oppression.

Black women's comments about self-esteem point to another way that black women's experiences are diluted through prison discourse and programming and may reflect Goldtooth's comment that although prison racism is not always visible, "you can feel it all around you" . The suggestion that low self-esteem is intimately related to women's lawbreaking discredits and threatens black women's survival strategies. If a black woman accepts this premise she is, in a sense, admitting defeat to racism; and this is not likely to be experienced as empowering. As Puss said, internalizing black women's disempowerment can be destructive to their chances for survival.

So, and if you're going to use "oh I'm black," you've already defeated yourself before you've started fighting. And if you're gonna use "I'm a black woman" you have killed yourself before you step off the block.

Implicit within this comment is that "fighting" is a fact of life for black women who need to rally their internal resources to prepare for the battle. The foundation for preparation lies in maintaining a solid sense of self confidence, despite an acute awareness of racial bias and inequity. The following comment reflects the difficult balance that this battle entails. Goldtooth remarks:

I don't think that if myself and a white woman goes for an interview or whatever, she has a better - probably she does maybe, if he's biassed - no, I'm going in there with full confidence that once I have the requirements and stuff, that I have a fifty-fifty chance like everyone else.

Although this comment reflects an awareness of the potential for racial bias, Goldtooth points out the risks of allowing this awareness to effect your self-esteem: to do so, would undermine her self-confidence and chances for employment. The expectation of equal treatment is not a way of denying the probability of bias, but is a method of dealing with constant violence and violation.

Discriminatory employment practices, gender inequalities, and persistent racism interlocked to enforce and perpetuate these women's "outsider" status in relation to white Canadian society. Black women indicated two central strategies for dealing with economic marginalization and racism; generating their income through illegal means and resisting internalization of negative messages about black women's deviance. Marginality, therefore, became a site for "carving out spaces in which to manoeuvre and resist" (Evans, 1995: 503). The following section discusses how illegal work functioned as a means of shifting class and racial relations by moving black women "inside" mainstream Canadian culture.

Moving "Inside": Illegal Work and Social Positioning

Illegal work provided black women with financial resources and a feeling of independence and self-sufficiency. In addition to the relative "freedom" they had to define the terms of their employment and to make enough money to stay above the poverty line, women's social status also increased in various ways. One woman proudly described how she was known to "run the turf" and was recognized by all the police in the area. Prior to doing illegal work this woman worked as a night office cleaner and thus found a status and respect "on the street" that she did not find through legal employment. A further consequence of illegal work on black women's status was that, ironically,

illegal work allowed them into mainstream society in a way that was previously inaccessible to them. As they started to accrue more material belongings and other symbols of “success,” black women’s social worth also increased. For example, one woman stated that after her marriage broke up she initially broke the law to be able to make the mortgage payments, the monthly bills, and to give her children things they needed for school. However, she soon discovered that as she acquired more material items her social status had changed.

...[W]ith acceptance came respect, came people liking me more. You're more socially accepted kind of thing...I felt I was happy. I felt good. I felt like I was "it" you know, nice car, nice house, you know, I was wearing the most up-to-date clothes. I felt good at the time.

Money also helped shift balances of power between professionals and clients. For example, Goldtooth’s illegal work was aided by being able to afford a high priced lawyer who was often successful at keeping her out of prison. Moreover, her status as “client” in relation to her lawyer also shifted because he supported her by buying her shoplifted goods. Other professionals in her life such as health care workers to whom she was normally subordinate, also benefited from her illegal work.

I had the best lawyer money could buy. And he used to, like if I had a leather long trench [coat] and he wants one for his wife...like I said, the doctor buy from me and the nurses and stuff. They’re making me feel like I’m accepted...Like I’m special too.

Goldtooth sold her goods at half the retail price and found a willing and receptive consumer base within the middle class. Goldtooth distinguished this class of people who were able to pay up front from her own peers who "take three payments when they get their family allowance." Illegal jobs within the underground economy allowed black women to play an active part in consumer culture and increased their social status. They were able to move from an exclusive position of “client” of

services to a more equal position of one who is involved in market exchange. Goldtooth's experience also illustrates the role of the middle class in sustaining and perpetuating black women's illegal work, with little risk to themselves. It is, after all, Goldtooth who is doing time for shoplifting, tried and convicted by similar professionals as those to whom she sold her merchandise.

Some women also spoke of the psychological/emotional aspects of being involved in illegal work. For some, lawbreaking represented a form of retaliation against a society that holds them in contempt and expects them to fail. Jovinka described shoplifting as "being more clever" than those who are policing the store.

I mean, there's people there and their main job is to look for shoplifters. And you beat them all the time. You beat them. And if you get away from the police, you beat the system too. Shoplifting's a charge. An act of nerve.

Similarly, a focus group participant said that she "kind of got a thrill, actually I *did* get a thrill out of importing. I know I can do it... this time I got caught. But until this time, it was fine and dandy." There were "thrilling" aspects of these women's illegal jobs, particularly that they were able to rebel against a system that usually assaulted them and able to resist a life of marginalization and poverty into which they were streamlined. In some cases illegal behaviour became a coping mechanism to deal with the frustrations and oppression experienced through legal and social systems. One woman, for example, was involved in a legal battle to regain custody of her children. She felt she was being constructed as a bad mother despite the fact that she loved and provided for her children. The frustration she felt during this custody battle led her into a "roller coaster" of writing fraudulent cheques as a method of dealing with her depression and frustration.

I find when I'm really depressed and I see a cheque I just beam. I light up like somebody who has an alcohol problem, they see a bottle of scotch or something. When I see a cheque, I go *cash, money*, and I just go shopping and sometimes the

things I buy I don't need or I don't want but I just, I just feel good. Just to have it.

The financial benefits of their illegal activities gained black women acceptance, shifted class relationships, and functioned as resistance strategies against a society that views them as deviant, worthless and failures. Their lawbreaking narratives reflected a sense that they were somehow "let in" to a social world from which they had previously been barred. Women spoke of being positioned "outside" dominant society in a way that put them in conflict with structures and systems that allow for independence. A sense of being "outside" was articulated in specifically racialized terms.

We didn't grow up in this white society where mom and dad met in high school, mom and dad got married in college, mom and dad got married, married two or three years, then they had their family. They had everything laid out.

Black women's narratives reflected a sense that the promises of "a better life" in Canada are empty for black women. They do not have opportunities or "everything all laid out" for them to be able to survive. As one focus group member commented, her hopes for achieving the "American dream" have left her disillusioned:

My dream was to have a nice big family, be happily married, have a good job, my husband have a good job, and take the best care of my children. And give them all the love, and be there for them...And it's not happening.

The "dream" not only contained racialized imagery but was inherently heterosexual. All of these women were either currently or had been previously involved in heterosexual relationships. Some of these relationships were violent and some ended in divorce, but many women espoused a continued commitment to long term relationships with men. Thus, heterosexual privilege was the one area of acceptability accessible to them and figured prominently in the racialized idealized notion of a Canadian family.

Although there was an implicit consensus in the focus group about the desire for heterosexual relationships, two women in the individual interviews expressed ambivalence about their sexuality. Their ambivalence was, in large part, due to a concern that "adding" lesbian to the list of strikes against them was too risky. They felt the disadvantages of being poor black women with criminal records positioned them far enough outside the dominant criteria for acceptance. They spoke of lesbianism as something they had a choice over, unlike being poor, black, and incarcerated, and were not sure if they would be able or willing to live as a lesbian on the outside. They were aware that heterosexuality was a way "in" to social acceptance and were not certain they were willing to give up that aspect of the "dream."

Many women spoke of an "emptiness" and a "void" they felt as a result of being unable to reach their dreams. Despite the financial and social benefits of illegal work, most women felt discouraged that they had somehow "failed" themselves and their family. As one woman said, in tears:

... but sometimes I just feel like (pause) I can't complete anything. That I'm just a total failure. The only thing I know how to do is [crime].

Although many women experienced an increase in social status and levels of economic survival, they also knew that their "insider" status was temporary and in a sense illusory. In addition, there were high costs to be paid in the form of doing prison time. Several women spoke about the harm they were inflicting on their children by being absent and the increased financial burden they face when they return from prison without money or job opportunities. Prison was therefore an inevitable and intensified version of the social isolation they experienced in the community and a further exasperation of their outsider status.

The Prison Experience As An Extension of Life Outside

Black women's experience of prison was not all that different from what they experienced in the outside community. One woman stated that she is living the same quality of life in prison as she did in the community, except that now she is "not paying for rent, and I can't leave and come back when I want." The two primary problems that black women addressed in relation to prison life were racism and the lack of alternatives to lawbreaking. Both these problems were viewed as intensified renditions of the obstacles they encountered in the outside community.

The notion that racism "is all around me" and "they can hang a black person in this jail" were common responses as was the sense that prison racism is more visible and intense than outside. In reference to the intensity of prison racism, RJ said "oh you might see the pretty houses and you get to cook your own food, but there's a price you have to pay." A sense of false appearances and social hypocrisy was also revealed in the following comment about the process that the local community was engaged in when this prison was being planned and built. One woman said:

Don't build this beautiful place to the community's eyes and there's nothing available here, more than shelter and food. Make sure that if the community had to agree with all this production, the community can at least be there to help. There should be places where someone coming out of jail can get a job, some schooling, to get some community help.

There was a sense that, very much like their experiences with Canadian ideologies and promises, that the prison was built for someone else's benefit. Women's comments reflected the idea that a less secure, more humane prison was built because of public pressure about the treatment of female prisoners. In that sense, the facade of the modern prison is as superficial as the ideology that promises rewards and success if you just work hard and play by the rules.

The theme of hypocrisy and facades was common in black women's comments about the prison experience. RJ thought it would be better if individuals just stated up front they were racist instead of disguising and distorting their behaviour. In a sense, she is requesting that power be labelled as such and that she be given a chance to deal with it directly. The denial of racist practices and attitudes in the prison made one participant comment that "psychologically and mentally this place can fuck you over." Another black woman, referring to the discrepancy between appearances and reality in prison, said she would prefer the correctional officers to go back to wearing uniforms, because that would accurately reflect the power differences which although present are currently veiled.

Prison programs were viewed as having little relevance for black women. Many women remarked that psycho-educational and cognitive-behavioural frameworks of much prison programming, offer little that could be translated to the "real world." As such, the prison is experienced as an extension of the outside society that provides few alternatives to lawbreaking. As Puss said:

Now, really, what do they think? To me, they're putting you in here, giving you housing, giving you food, for six months, to send you back out there, to fail, to come back here!

Several women pointed out the importance of enhancing community links while women are incarcerated in order to increase their chances of survival once outside.

I think in here, instead of sitting in a house full of ten women, instead of playing cards all day. I think this institution needs to have organizations on the outside, so that when you go through the door, they can help you find a job, help you find daycare, help you find a place to live. There needs to be things like that. When you go through these doors you go out there with a blind fold on and you lift the blind fold off and you don't know where to turn. You don't know what to do. *You don't*

know where the money's coming from, where to sleep.

Participants had many creative ideas for improving the prison programming ranging from offering non gender-specific job training options to cleaning and chef apprenticeships. All participants emphasized the crucial importance of providing women with a skill or experience that "they can go out there and put to use." They all emphasized the importance of obtaining secure and adequately paid employment opportunities so that they did not have to resort to illegal means of financial survival. Goldtooth perhaps was most succinct when she stated:

You know, if I was to get out of here and at least be offered a job, I don't care how hard I have to work. You know, even ten dollars, fifteen, fifteen dollars an hour I could start at. With four children, etcetera, etcetera. I wouldn't be interested again. I'd feel so happy to know there's an opportunity to just live in a means. That's a decent way of living. It's not poverty line. It's not nothing to talk about, but it'd get me by. I'd be happy.

Summary

Black women's lawbreaking narratives stressed how their attempts to sustain themselves economically were constantly thwarted by low wage jobs, sole responsibility for childcare, and racist and classist practices that expect them to fail. These narratives were embedded within a racialized experience that positions them on the "outside" of white mainstream Canadian culture. Although these women embraced culturally sanctioned values such as independence and responsibility, systemic forms of racism, classism, and sexism interlocked to prevent them from realizing these values. Illegal work provided black women with a means of economic survival that enabled them, temporarily, to provide for themselves, their children, and their future. The acquisition of material goods also raised their social status and shifted the power balance between themselves and middle

class professionals to whom they were normally subordinate. The temporary nature of this acceptance and economic security was symbolized by the incarceration experience. Once inside, black women faced similar, if more visible, experiences of racist exclusions and inequities. Their descriptions of prison life and programming suggest that prison is simply a microscopic version of systemic practices that individualize their economic struggles and privatize racist experiences. The racialized notion of the “normal inmate” that stresses low self-esteem and psychological responses to trauma, did not resonate for these women. This construction of the experiences and needs of women in conflict with the law threatens black women’s survival strategies and ignores how racist values and practices structure black women’s experiences.

The following chapter examines correctional policy and practice that structures prison programming and staff/prisoner relationships. An essentialized notion of “woman” forms the basis of these discourses and practices which not only ignores differences in social location among women, but is also used as a strategy for enforcing prisoner compliance. This analysis is contextualized within a broader discussion of restructuring the criminal justice system to better reflect women’s needs.

CHAPTER FIVE

PERSEPHONE ABDUCTED: 'WOMAN-CENTRED' POLICY AND PROGRAMS

This chapter is an analysis of how particular principles of a woman-centred model of incarceration are integrated into correctional discourse and practice. The first section is a discussion about feminist efforts to make the criminal justice system more *just* for women by placing women's social role as caretakers at the centre of such efforts. The following two sections use prison program policy and guidelines and interviews with front-line staff to examine the specific means by which women prisoners are regulated through the blending of correctional, therapeutic, and feminist discourses.

Models of Justice in Correctional Policy: Persephone versus Portia

Creating Choices, the document that provides recommendations for a radical restructuring of the Canadian federal women's prison system, represents a shift in approaches to women's imprisonment. This document moves away from traditional correctional philosophies that emphasize punitive measures and towards the creation of a more supportive environment for women prisoners. Significantly, *Creating Choices* acknowledges the widespread experiences of childhood abuse and male violence common to the majority of federally sentenced women. In addition, the document stresses the importance of creating a prison environment that does not replicate the same destructive dynamics as those inherent in abusive/violent relationships. Written in 1990, *Creating Choices* emerged during a time when feminist lobby groups had enjoyed success in influencing various types of legal and social policy (Shaw, 1992: 442). The Task Force that wrote *Creating Choices* was comprised of both federal bureaucrats and self-identified feminist individuals and agencies. As a

result, *Creating Choices* is heavily influenced by feminist therapeutic discourse and resonates with a feminist "ethic of care." The feminist ethic of care resonances in *Creating Choices* are not anomalous. This approach has been advocated as strategy for making the criminal justice and legal systems more responsive to women's social context and needs (Heidensohn, 1986; Harris, 1987; Pollock, 1995; Miller, 1998). *Creating Choices* is therefore reflective of a broader discussion about how to insert women's realities into criminal justice ideologies, discourses, and frameworks.

Recent feminist debates within the area of corrections have travelled two main avenues - avenues that parallel the evolution of feminist theory in general. During the 1970's and early 1980's feminist efforts to reform women's prisons drew upon the principles of "equity" feminism which argued that differential treatment of men and women always results in unequal treatment of women (Fraser, 1997). Proponents of this position lobbied for changes in women's imprisonment to make prison programming equal to that in prisons for men. These reform efforts were based upon a rights model of justice and argued that women have the same "rights" to prison programming as do men. An equal rights position looked towards equity within the existing system and did not challenge the conditions of prisons for men or the legitimacy of punishment regimes in general. More recent feminist efforts in criminal justice are reflective of what is often termed "difference feminism." In the area of correctional reform, difference feminists have emphasized the ways in which women prisoner's needs are *different* from those of men. Rather than arguing for the same treatment under the correctional law, these reformers argued for *different but equal* treatment. In contrast to a rights model of prisoner justice, difference feminism in corrections reflects a *needs* model. A needs model argues against the implementation of a male model of penalty in favour of a prison regime that

reflects women's differences from men and similarities to one another. This approach takes an essentialist perspective, (which denies differences among women's experiences and social power) and argues that women's unique needs be the focus of prison policy and programming.

Feminist criminologists have called the "rights" model the *Portia model* of justice (Heidensohn, 1986). Heidensohn named this approach after Portia in Shakespeare's *Merchant of Venice* because of this character's use of procedurally minded and rational strategies to achieve justice. (In addition, although Heidensohn and others fail to note this, Portia impersonated a male lawyer in her legal case against Shylock. Thus the Portia metaphor also functions as a symbol of inserting a feminine presence within patriarchal institutions by using its own terms of reference and ideological framework). The Portia model of justice is viewed as one that is masculinist in ideology and practice. This idea of justice embraces liberal conceptions of autonomy, impartiality, and rationality, concepts upon which the legal and criminal justice systems are founded. Although these qualities are presented as gender neutral within the philosophical framework of the criminal justice system, they actually reflect male values and experiences. The criminal justice system is thus seen to embody a "male voice" of moral reasoning. Feminist criminologists have argued that the Portia model embodies patriarchal assumptions that prohibit women from receiving fair and equal treatment in the courts (Heidensohn, 1986: 291). In response, some have argued for an alternative concept of justice that accounts for women's social positioning and that contextualizes women's specific experiences and modes of reasoning. Drawing upon Carol Gilligan's (1982) work on women's moral development, some feminist criminologists have advocated for the development of a feminine justice model. Heidensohn (1986) calls this perspective the *Persephone model* of justice. This feminine

justice model derives its name from the Homeric myth in which Demeter searches the world for her daughter, Persephone, who was abducted by Hades, god of the underworld. The myth emphasizes the force of Demeter's love for her daughter and her successful attempt at partially releasing her daughter from bondage. Justice in this myth is achieved through Demeter's ability to reach a compromise with the gods which allowed Persephone to divide her time between her mother and Hades. In contrast to the traditional male based approaches to justice (the Portia model) the Persephone justice model reflects values such as needs, motivations, and relationships and is thought to be a better alternative for achieving justice for women. Inherent to the Persephone model is Gilligan's concept of an "ethic of care" that she and others assert reflects the "different voice" of women's moral reasoning. Criminologists understand an ethic of care as representing a "feminine" approach to justice which emphasizes emotional relationships, caring, and interdependence. Although Gilligan's "different voice" theory has been extensively critiqued on the grounds that it essentializes and homogenizes women's experiences, some feminist criminologists have adopted an ethic of care discourse to advocate for changes within women's penal systems (Heidensohn, 1986; Harris, 1987; Pollock, 1995; Chesney-Lind & Pollock, 1995).

Recent restructuring of Canada's federal women's prison system reflects aspects of an ethic of care or Persephone model of justice. Women's prisons have been reformed on the grounds that women prisoner's needs and values are different from men's. It is argued that women in prison need an environment in which to establish healthy relationships, heal from experiences of violence, and become empowered to make better life decisions. As stated earlier, *Creating Choices* recommended

a radical restructuring of how federally sentenced women are incarcerated in Canada.⁵ This document is the product of a Task Force that investigated the living conditions for women incarcerated in the Kingston Prison for Women (P4W), which was at that time Canada's only federal prison for women. The investigation was prompted by the suicide of seven female prisoners, six of whom were Aboriginal women. The Task Force included approximately an equal number of representatives from both the federal government and the voluntary sector. Many members considered themselves feminist, including those from the Elizabeth Fry society, an advocacy organization for women in prison (Shaw, 1992: 443). The Task Force concluded that the current method of housing federally incarcerated women was inadequate and harmful and therefore recommended that the P4W be closed and five new regional institutions be opened. (One of these institutions is a Healing Lodge designed specifically for Aboriginal women prisoners). They recommended that the new institutions be structured using a "woman-centred" model. The "woman-centred" model emphasizes women's victimization experiences and the psychological repercussions of childhood abuse and male violence. The Task Force identified five principles of a woman-centred environment to guide prison operations, structure, and programming. These principles are *empowerment, meaningful choices, respect and dignity, a supportive environment and shared responsibility* (Task Force on Federally Sentenced Women, 1990). The unifying discursive link between these five concepts is that of feminist therapy.

The Task Force recommendations do not contain the specifics of how to operationalize these concepts within a prison setting. The responsibility for interpreting and implementing the

⁵ A federal sentence is a prison term of at least two years plus a day.

recommendations in *Creating Choices* was left to the Correctional Service of Canada. The operationalization of a woman-centred model of incarceration is outlined in two Correctional Service of Canada policy documents written in 1994 and 1995. The first, entitled the *Correctional Program Strategy for Federally Sentenced Women* (1994), specifically addresses how the five woman-centred principles (empowerment, meaningful and responsible choices, respect and dignity, a supportive environment, and shared responsibility) are to be operationalized through prison programming. The document entitled *Overviews: Regional Facilities for Federally Sentenced Women* (1995) contains policy on the treatment needs of federally sentenced women, the security management system designed for the new institutions, and hiring and training of front-line correctional officers.

Despite the progressive spirit of *Creating Choices* in its attempt to prioritize the impact of women's social location on their lawbreaking, this document is limited in its ability to provide substantial changes to women's imprisonment. Although *Creating Choices* acknowledges that social inequalities contribute to women's lawbreaking, the document's emphasis upon treatment and therapeutic programming constructs imprisoned women's needs in emotional/psychological terms. Moreover, the recommendations for a supportive and healing prison environment decontextualize the prison system from its specific location within the criminal justice system, from its mandate within the same system and from the discourse and ideology operating within the prison itself. The new caring ethic employs concepts such as "empowerment," gender differences, and "shared responsibility" which when interpreted through correctional frameworks and discourses, lose their social meanings and become individualized. The use of such feminist based concepts is thereby transformed into a strategy to further the social control agenda of the Correctional Service of Canada.

The following section examines two areas in which this transformation occurs. First, in the area of prison programming, individualized notions of *responsibility* and *empowerment* decontextualize women's experience and reinforce the correctional agenda. Second, policy and practice in regard to relationships between staff and prisoners are based upon a depoliticized understanding of gender differences. The construct of women's difference from men draws upon essentialized notions about women's inherent caring and relational needs and serve as a means of enforcing staff authority.

Programming the Self: Responsibility and Empowerment

The notion of *responsibility* runs through policy discussions about the antecedents of women's lawbreaking, the philosophy of prison programming, prison security, and staff/prisoner relationships. Although the concept is a consistent theme within these policies, a multi-discursive framework is used to describe women's (ir)responsibility. Depending on the particular site in which women's (ir)responsibility is of concern, policies and programming shift between therapeutic, correctional, and religious discourses. Liberal notions of autonomy and independence, however, provide the theoretical underpinnings of these discussions regardless of the discursive frame employed.

Both *Creating Choices* and the *Correctional Strategy For Federally Sentenced Women* (CSFFSW) state that dependency is a particular problem for federally sentenced women and one that is intrinsically linked to their lawbreaking. *Creating Choices* states that:

The dependence on men, alcohol or drugs, and/or state financial assistance which is part of the lives of many federally sentenced women, has robbed them of the opportunity and ability to make choices. To break out of this dependent cycle, these women need to experience the success associated with making sound, responsible decisions (Task for On Federally Sentenced Women, 1990: 56).

The above quote contains an implicit assumption that women's crime results in large part from their dependence on men, drugs and alcohol, and government financial assistance. A corollary to this assumption is that dependence causes women to be unable to make appropriate decisions to govern their own lives. As several authors have pointed out, this construction of women's lawbreaking both infantilises women (Shaw, 1992: 448) and denies them any sense of agency (Kendall, 1994: 5). In addition, this type of dependency discourse individualises structural inequities such as those based on race, class, and gender and renders the *social* causes of dependency invisible. Instead, dependency is constructed as the opposite of *responsibility*. Dependency upon drugs, the state, and men are seen as the cause of women's irresponsible decision making. Therapeutic programming that helps women "work through" their "dependent cycle" will enable them to make more responsible (legal) choices in the future (Task Force on Federally Sentenced Women, 1990: 56).

Notions of dependence and choice in *Creating Choices* reflect liberal assumptions about individual autonomy. The claim that dependency makes women unable to make "good" choices, assumes that good choices are equally available to all people. This perspective reflects a meritocratic vision that assumes the inherent freedom of all people to pursue their own goals, and which "masks how historically organised and tightly constrained individual choices are" (Razack, 1998a: 24). Therefore, the individual who is unsuccessful in living independently "has simply chosen badly" (Razack, 1998a: 24).

The individualistic nature of the therapeutic frame invoked in *Creating Choices* lays the groundwork for correctional programming for women. Moreover, the notion that imprisoned women's problems can be dealt with through individual programs is further moulded to meet the

specific agenda of the Correctional Service of Canada. This agenda is one that focuses upon the culpability and retribution of the offender through accepting responsibility for his/her criminal actions. This is illustrated by the following excerpt from the *CPSFFSW* which states that:

An understanding of the relationship between their actions and the circumstances of their lives allows women to gain control over their lives and make pro-social choices. As the reasons for their criminal activity become clearer, personal accountability grows...women can reconcile their past histories and make positive, self-determined choices, free from criminal activity (Correctional Service of Canada, 1994: 8).

Therapeutic programming that helps women deal with their past is part of an overall correctional agenda that aims to make prisoners accountable and responsible for their criminal behaviour. The notion of social context is used only in so far as it enables women to see their culpability *within the context* of their lives. As Hannah-Moffat (1997) writes, "[i]t is this process that Corrections Canada terms empowerment" (194). Correctional policy states that the notion of empowerment forms a central component of their imprisonment philosophy. In practice, empowerment tends to mean making women less dependent and more responsible. In short, when women are taught to work through their dependency issues they become "empowered" to be responsible, independent, law-abiding citizens.

The way that the issue of dependency gets picked up in programming varies somewhat, although there is a consistent concern with this problem across program types. The Correctional Service of Canada provides the guidelines for "core programming" which are programs that target the criminogenic factors leading to a woman's crime. The core programs are mandatory and prisoner's participation in these programs directly influence their chances for release. Core programs are defined as: Living Skills, which includes anger management, parenting, and cognitive skills;

Literacy and Continuous Learning; Substance Abuse; and Abuse/Trauma Issues (Correctional Service of Canada, 1995). Program descriptions emphasize women's poor decision-making skills, low self-esteem, cognitive deficits, and dependency. The notion that "offenders...have failed as citizens" (Correctional Service of Canada, Parenting Program description) underlies much of the programming philosophy. Programs with session titles such as "Learning to Live On Less," "Creating Choices Through Problem Solving," and "Accepting Responsibility and Managing Diversity" all point to the individualistic focus of these programs.⁶

In addition to core programming the prison offers a wide array of group and individual programs through the Chaplaincy that are based on Christian religious frameworks. These courses range from *Christian Principles for Financial Planning* to a meditative course called *Diet, Discipline and Discipleship*. Not surprisingly, these programs reflect an individualist perspective that encourages women that religious faith and practice will keep them out of prison. An emphasis upon responsibility also forms the basis of many of these programs. For example, an excerpt from a course entitled *Lord Teach Me to Pray* states:

A great portion of the program is spent on forgiveness and moves the participant to take responsibility for their actions as they must forgive others as they have been forgiven. There is also an emphasis on increasing faith in God believing that daily basic needs will be provided and that one can survive. The focus on temptations encourages a look at the issues which brought the women to prison in order that they will not succumb to the same temptations again.

Regardless of the discursive frame used, programming and policy reveal a preoccupation with women's economic dependency on the state, and dependency upon men and drugs. Which ever way

⁶ A notable exception are the programs offered by the Kitchener-Waterloo Sexual Assault Support Centre, which have an explicit emphasis upon power and oppression.

the route to end such a state is conceptualized, the ultimate goal is to enforce women's accountability and responsibility. Any potential offered by feminist discourse to expose the social dimensions of women's dependency and experiences is transformed via correctional discourse into furthering the criminal justice agenda. An individualistic definition of empowerment is used to refer to the process by which a woman is "empowered" to accept responsibility for her actions and decisions. This approach encourages accommodation to social inequities and strengthens the power of the criminal justice system and other systems of domination, rather than empowering the female prisoner. In sum, empowerment discourse of this sort "is a formulation that converges with a regime's own legitimacy needs in masking the power of the regime" (Brown, 1995: 23).

Essentializing Gender Differences: Regulating Women Through Staff/Prisoner Relationships

The following discussion is an analysis of policies about Primary Worker's job responsibilities and relationship to prisoners as well as interviews with Primary Workers themselves. Primary Workers' perspectives about their relationship with prisoners are examined with respect to correctional policy.

⁷ The central themes resulting from this analysis are: the use of an essentialized gender difference discourse that constructs women as "needy" and how this discourse shapes staff/prisoner relationships; and the conflicts within Primary Workers' dual role as guard and support. Both these themes reflect the tensions inherent in operationalizing "woman-centred" principles within a correctional context.

⁷ In order to protect the confidentiality of the Primary Workers identifying information is intentionally left out.

Correctional policies and program constructions of women's difference is another example of how feminist oriented concepts are emptied of their social aspects and manipulated and used to maintain institutional power. Rather than reflecting how experiences are shaped by gendered practices and ideologies, the correctional use of gender differences refers to an inherent feminine quality. These qualities reflect a racialized and depoliticized conception of women's inherent attributes, such as emotionality and orientation towards relationships. Integral to this understanding is the idea, reflective of a relational theory of women's psychology, that imprisoned women have been deprived nurturing and empathy. Women's criminality is a result of such deprivation because, as one staff stated, "when you come from a place where you never received any nurturing ... this [criminal activity] is what happens."

The idea that women prisoners have failed to live individually and responsibly is particularly gender specific within the discourse of women's *difference* from men. One of the central assumptions of *Creating Choices* and the subsequent documents it spawned is the idea that women prisoners are different from men and have special and unique needs. Women represent only a small fraction of people incarcerated by the Correctional Service of Canada and models of policy and programming have traditionally been developed for male prisoners. Recent correctional policy states that male policy and program models must be modified to address women's special needs that arise from gender differences. However, when women's "difference" is operationalized through policy and practice it loses its social dimension and refers to an essentialized feminine quality.

Correctional policy about staff hiring and role responsibilities underscore the emphasis that CSC places upon hiring Primary Workers who understand women's unique needs. Staff are expected

to be sensitive to "women's issues" and to be able to work effectively in a "woman-centred" prison.⁸ The *CPSFFSW* identifies four main responsibilities of front-line staff working in a woman-centred environment. These responsibilities are: to develop positive, professional relationships with the women that combine mutual respect and caring; act as a positive role model; understand women's lives; and to be aware of the prison programs offered to support women "in their efforts to improve their lives." The policies invoke an organizational team work discourse to describe the relationship between prisoner and staff as one that is "mutually respectful" and "supportive." The ultimate goal of the caring relationship is to help women become more autonomous and able to control their lives. The *CPSFFSW* states that "[s]taff must work as a team with the FSW [federally sentenced woman] in order to enhance the connection and support that women need to make *responsible choices* and *take control over their lives*" (italics added)(1994:5). The relationship between prisoner and Primary Worker, therefore, is seen as a pivotal force in regulating women's "responsible" behaviour both inside and outside of the prison setting.

Interviews with Primary Workers revealed some of the tensions of prioritizing women's different needs within dominant discursive and ideological systems. The idea that women are "different" from men was described by Primary Workers in terms of women's emotionality and need for relationships. All of the Primary Workers interviewed had previous experience working with men before coming to GVI. When asked about their job roles and responsibilities these participants contrasted their current position in a women's prison with their prior correctional work with males.

⁸ What exactly constitutes "women's issues" is not made explicit. However, policies emphasize women's childhood abuse experiences and low self-esteem as particularly unique to women in conflict with the law.

All participants described working with female prisoners as more “challenging” than with men. One of the main challenges they referred to was that posed by women’s desire to share their emotional lives. As one participant said:

The inmates can be very demanding. It can be very emotional, draining. ‘Cause they’re women....I’ve worked with men and women, like I know the differences. Men are very easy, very compliant. Women are very, very demanding. They’re demanding about things that, things that they want right away. They question everything, you know, they question all the rules and regulations. They, they always, you know, they always want to tell you how they feel that day.

Another staff stated that “the men tend not to be as apt to and want to talk and share, you know, talk to them as a guard. Where women are more up-front. They need that interaction.” Similarly, another stated that:

The women offenders tend to be very more engaging...when I was at [a male correctional institution], I rarely had some guy calling me on the range asking me to talk to him about this problem or that problem. But the women they, they’ll come and they’ll ask, and they’ll basically vent a lot of the times, just talk about their problems and I usually try to give them a listening ear.

A particular notion of a male prisoner was used as a reference point compared to which female prisoners were constructed as “needy,” “emotional,” and “demanding.” Primary Workers adopted an essentialized discourse about women’s needs that resonated with that of an “ethic of care.” They said that in contrast to male prisoners who “keep things inside” and “don’t tend to tell you how they’re feeling,” women prisoners wanted personal contact and connection. Working with women was considered to be much harder than with men whose emotional distance from staff made them “more compliant.” In contrast, women “are...sometimes a little higher need” because “they always want to tell you how they feel that day.” Women’s assumed “neediness” deemed them more apt to

challenge authority and to make demands on staff.

Primary Workers also spoke of particular challenges posed by their dual responsibilities of security and support. Primary Worker's job responsibilities involve both traditional guard duties, such as frisking, punishing 'bad' behaviour, assessing prisoner's security classification level, recommending release, and a counsellor/support role. Although most of the staff interviewed endorsed the philosophy of *Creating Choices* some felt it difficult to equally balance prison security with the flexibility required to deal with women's multidimensional needs. One Primary Worker stated:

...before I came down here they sent me a package called *Creating Choices*, I don't know if you've read it, and to me it, it makes a lot of sense. Like I, I understand the, the, the premise of it I think. That if you can get away from the security aspect and try to deal with these women in a more humane fashion...Treat inmates in a humane manner and, and I think it's great. I think it's, the whole idea of catering to the holistic environment...I think it's a good thing...[B]ut I think also you need to have the balance like it, it seems that you, you can't have one without the other. Like I think there has to be a balance between the security and the holistic and I think somehow, sometimes it gets skewed and one, one takes precedence over the other.

This participant and one other felt that the balance was "skewed" in the direction of allowing the prisoners to have a certain amount of freedom and flexibility. Although they wanted to listen and support the women they also felt that their central duties were security related. They felt that the imbalance of flexibility and security resulted from their own lack of power to define policy and operations. Many felt that the authority of upper management rendered their own perspectives and particular experience as front-line workers irrelevant.

I think that, as in a management perspective, I think that what they need to do, is say "no" more often, and not try to accommodate every inmate. I think that we have rules, and rules are set out for a particular reason. And, you know, these rules have

been made a long time ago and there's reasons for every rule...Like, there's always, in their eyes, there's always a special circumstances. Like, I understand that, but I also understand that *rules are rules*...That's my role as a correctional officer to enforce the rules. And it's very difficult when my supervisors don't follow them. And then for me to enforce them, it's very difficult.

One of the Primary Worker's responses to centring gender differences between male and female prisoners was a sense that women prisoners are being "treated with kid's gloves." Although all staff participants expressed an awareness of the social factors influencing women's lawbreaking, they had a very difficult time reconciling this knowledge with the purpose of prisons to punish and their role as guards to control and discipline. As is often the case when minority voices are first given credibility in the public sphere, some staff felt that women prisoners were being given special treatment. Primary Workers' comments on this topic were in response to both *Creating Choices* and the report of the Arbour Commission which investigated a 1994 altercation between staff and prisoners at P4W.⁹ Both these documents recommend that gender relations and women's experience of abuse be given central consideration when structuring programming and security models. Staff interpreted this concern in light of the impact it had on their own ability to function as guards. One Primary Worker stated that:

Working with women is very political. Um, ever since the Arbour Commission that came out, everything's been very touchy feely with the inmates...Maybe because there's so many advocacy groups for women. Maybe because they've been in the news so much, maybe people feel more for women than men. But women are very, very political. *Very* political compared to the men. Like the men are maybe forgotten about. But women are very political.

⁹ See Canada (1996). Commission of Inquiry into Certain Events at the Prison for Women in Kingston (Arbour Report). Ottawa: Public Works and Government Services of Canada.

In certain respects the focus on women's difference from men spawned a backlash sentiment that expressed the idea that the needs of women prisoners are given priority over both male prisoners and the staff themselves. Primary Workers perceived an imbalance between respecting their function as social control agents and management's efforts to enforce a "holistic" and "supportive" environment. The conflicting philosophies jeopardized front line officers' efforts at maintaining control over the prisoners, the central responsibility of their position.

One of the ways that the conflict between support through relationships and prison security and control manifested itself was through the correctional security management model. The management model for the regional prisons capitalizes on the small size of the facilities which carries "the potential for increased emphasis on dynamic security" (Correctional Service of Canada, 1995: 4). *Dynamic* security is distinguished from *static* security, which has traditionally dominated male and female correctional institutions. *Dynamic* security relies upon interaction between guards and prisoners whereas *static* security refers to traditional means of securing a prison such as surveillance, electronic doors, and steel bars. The physical structure of the prison and its small size allow the "staff to get to know each [prisoner]" and has "the potential for extensive interaction on an individual basis" (Correctional Service of Canada, 1995: 4). On the surface, the notion of dynamic security appears a better alternative to those security measures that maximize strategies to control prisoners' movements and actions. The notion that women have more emotional needs than do men and that women want connection with others fits nicely with Correctional Service of Canada's approach to women's prison security. What became clear through Primary Workers descriptions of the differences between male and female prisoners and the notion of dynamic security in a women's prison, is that

interaction and communication function as gender specific means of social control. One staff person, for example, said that “dynamic security is security by relationship.” Two others spoke of the significance that interaction between staff and prisoners has in diffusing potentially disruptive situations. One Primary Worker explained how supporting the women emotionally enhances prison stability:

... it's called dynamic security...if we spend time with the women and listen to them and they feel heard and they feel that they're not ignored, then that does a lot for keeping everybody on an even keel. That does a lot for security.

The connection between prisoners and staff is supposed to empower the women to live responsibly both outside and *inside* the prison. Empowerment through relationship becomes the means through which prison security is maintained and women prisoners are regulated to adhere to institutional practices. The power of the institution and those charged with enforcing it is thereby fragmented and obscured. By engaging in relationships with their Primary Workers, women prisoners are also engaged in a process of self-governance that perpetuates the legitimacy and power of the institution. An essentialized notion of women's inherent caring, interdependent, and relational qualities is manipulated and transformed into a strategy for social control.

Another problem with essentializing women's difference from men is that racialized dimensions of women's experiences are ignored. This is problematic not only in the way it obscures the reasons for women's lawbreaking but in the implications race and racism has for staff/prisoner relationships as well as for the dynamics between the prisoners themselves. Although correctional policy prioritizes the significance of gender in relationships between staff and prisoners, with the exception of the Aboriginal Healing Lodge, there is little consideration given to racial/cultural differences between staff and prisoners in the other four institutions. In light of the data presented

in **Chapter Four** of this document regarding the prison experiences of black women, this oversight is significant. Black women participants said that they felt judged, misunderstood and inequitably treated by the overwhelmingly white dominated institution. They spoke of the way that institutional power is not only gendered but racialized as well. Although very few of the women in this study said they experienced the relationship with their **Primary Workers** as caring or supportive, black women felt particularly uncomfortable within these relationships. This was due less to the individual **Primary Worker** than with the racist institutional culture as a whole. **Primary Workers** are a part of the overall correctional operations and thus are symbolic of its power. Even sincere efforts to be compassionate and supportive are often preempted by racialized assumptions and practices integral to the institutional whole. Black women focus group members energetically stated that they desired more black female staff in the prison who could understand individual black women's situation and act as a cultural translator for black women as a group. Although they appreciated having access to black male staff, they felt that gender politics and dynamics interfered with black male officer's ability to be effective advocates and support.

In addition, the data gained from black women participants highlight the fact that certain notions of an ethic of care are racialized. Although most of the white women interviewed expressed the importance of caring relationships they developed with other women in prison, black women did not share these experiences. Relationships for black women were mediated by race at both the interpersonal and systemic levels. Whereas white women found comfort through sharing common experiences of abuse and thus were able to find a pocket of safety, safety and comfort for black women was not so easily accomplished. Black women's ideas about positive and caring

relationships reflected the role that racism and power differences have in structuring relational dynamics .

Despite the limits of the correctional discourse about gender, such an emphasis does represent a forward moving step in acknowledging gendered experiences in the lives of imprisoned women. It is similarly important that race and racism be incorporated into correctional policy.¹⁰ The *Report of the Commission on Systemic Racism in the Ontario Criminal Justice System* states that in provincial prisons the incarceration rate of black women is increasing much more than that of white women (1995: 75). The commission found evidence of widespread systemic racism at all levels of the criminal justice system, from policing practises to imprisonment. The Commission's Report recommends the establishment of an Anti-Racist Co-ordinator and a community advisory committee for anti-racist practice in prisons, to help make both the prisons and the public accountable for institutional racism. These recommendations are specifically targeted for provincial institutions but are relevant to federal prisons as well. Currently, the essentialized notion of gendered experiences integral to the ethic of care approach in the new women's prisons, makes putting race on the agenda somewhat difficult. Correctional policy for women's prisons homogenizes women's experiences thereby ignoring racial and cultural differences among women. As my data illustrates, black women's experiences of patriarchal and heterosexist norms and institutions are racialized. As a result, both the motivations and the means of lawbreaking are quite different from those of the white women interviewed. The construction of women in prison is based upon a particular rendition of a

¹⁰ There are also risks that race discourse will be co-opted and divested of political meaning. See Razack (1998a) for a discussion of how "cultural difference" discourse within legal frameworks ignores issues of power.

white woman's narrative and does not reflect the experiences and needs of black women. Policy about prison programming and staff/prisoner relationships that ignores this reality limits even the potential for any meaningful response to black women's lives.

Persephone Abducted

Although *Creating Choices* and correctional policies make claims to a focus on relationships and context, principles common to the Persephone justice model, these principles are co-opted and used to serve the interests of dominant groups. In actuality, the woman-centred model has, at its heart, an acceptance of liberal models of justice. Correctional discourse about a healing and caring prison environment does not challenge the philosophy of punishment or even provide a transformative justice model. But, rather, the correctional goal is to foster women's autonomy so that they can become responsible, independent actors within or without equitable relationships. Once freed from dependency women will be able to think abstractly, morally, and responsibly: all areas in which these women are thought to have failed. This goal reflects an assumption that people are naturally autonomous, independent beings. The woman-centred approach contains little interest in changing systemic or relational dynamics that limit women's choices and independence, but instead focuses on the defective autonomy of the women.

Prison reform models such as the "woman-centred approach" assume that the criminal justice system has the potential to empower women. Specifically, in the case of *Creating Choices*, it is presumed that the prison system need only be tinkered with to provide an environment in which women can heal from past abuses and take control over their lives. A further underlying assumption

is that there exists outside the prison walls legitimate options and choices for all. This assumption is made clear in the somewhat baffling statement that "[i]f opportunities for meaningful and responsible choices are provided, life inside prison will better mirror life outside, and so will provide a more realistic environment in which to foster self-sufficiency and responsibility" (Task Force on Federally Sentenced Women, 1990: 108). Structural and institutional forces that promote exclusion and perpetuate racism, classism, and sexism are rendered invisible in this analysis. Furthermore, the role that the criminal justice system plays in perpetuating relations of dominance is subsumed within efforts to transform it.

Several feminist theorists have questioned the use of the legal system as a means to empower women (Snider, 1994; Smart, 1995). They point to the fact that the system was not set up to alleviate social inequities but to perpetuate them, by protecting the interests of the white male elite. Furthermore, as Snider (1994) points out, efforts that strengthen the states' power to control and discipline inevitably end up perpetuating social control over poor and minority populations, and further legitimating punishment regimes.

When considering a union between a Persephone model of justice and the criminal justice system we might do well to remember the story of Persephone in Greek mythology. In this myth, Persephone was abducted, raped, and held captive by Hades, god of the underworld. Although her mother managed to partially free her from bondage, Persephone's freedom was irrevocably compromised. She belonged to both worlds, the ideal world of the mother and the prison of Hades. Perhaps the development of "woman-centred prisons" represents an example of Persephone abducted.

CHAPTER SIX TOWARD AN OPPOSITIONAL FRAMEWORK

This study used prisoner's life histories and perspectives about women's needs and social contexts to better understand the relationship between systemic oppression and lawbreaking. The purpose of this examination was to offer an alternative analysis to the dominant individualized explanations of women's lawbreaking. As an entry point into this examination women's narratives were analysed in terms of what they suggested about oppression, resistance, and autonomy. This data revealed a disjuncture between correctional discourse and policy and women prisoner's own narratives. This disjuncture was evident particularly within women's description of experiences of oppression and agency, and of their incarceration experiences. In addition, content analysis of correctional policy and interviews with front-line workers were analysed for how prisoner's needs, lawbreaking, and relationships with staff were constructed. This data illustrated a process of co-optation of a potentially anti-oppressive discourse through correctional ideological and operational frameworks.

Results from this study suggest an incongruity between women's actual lived experience and the official correctional discourse that defines their experience. One of these incongruities lies in how a "federally sentenced woman" is constructed. *Creating Choices* and the correctional policies generated from this document, attempt to employ a gendered analysis to women's lawbreaking. However, the use of feminist therapeutic discourse neutralizes how gender is socially constituted, relying instead upon a psychological and victimization model to explain women's crime. Consequently, the needs of women in prison are defined in individualistic terms with a heavy emphasis on low self-esteem, dependency, and an inability to make rational choices. As I have

argued throughout this study, these notions are premised upon a problematic understanding of autonomy that divests women's struggles of their social meaning in favour of a psychological explanation.

In **Chapter One** I suggested that prioritizing gender homogenizes women's experiences and obscures the impact of social location due to race, sexuality and class. In addition, the exclusive focus on gender, particularly within a therapeutic discursive frame, lends itself to individualistic solutions to gender oppression. The self-esteem discourse common to many program and policies aimed at "empowering" individuals, may also reflect the interests of the white elite. As this study illustrated, black women did not identify with the self-esteem discourse that permeates institutional programming. Rather, they understood themselves to possess a strong sense of self that they saw as crucial for resisting internalized racist ideologies and practices. If black women embrace the notion that negative self-definitions caused their lawbreaking and/or other problems such as substance abuse, they are in effect admitting defeat to racism: and this is unlikely to be experienced as empowering. Further, such a perspective does little to expose the social and political forces that construct their experiences as deviant, which they so clearly articulated in the group interview.

Conversely, white middle class women may have something to gain from using self-esteem discourse to further political goals of gender equality. The use of victimization and self-esteem discourse is an attractive means of articulating the effects of gender oppression. Such an approach provides concrete and palatable testimony to the destructive effects of patriarchal ideologies that sustain male abuse of women and children. Further, it allows white middle class women to envision a means of self-empowerment through combatting negative self-images engendered by such

experiences. In this sense, empowerment paradigms based on raising individual self-esteem offer more privileged women an opportunity to gain a sense of their own agency. Moreover, self-esteem discourse suggests that this empowerment process will have social consequences. As more and more women gain personal strength and develop positive self-definitions, they will also gain a *collective* strength to confront patriarchal constraints. The individualized therapeutic discourse is thus intricately linked to a white women's politics of gender. Becoming empowered through self-esteem is conceptualized as a strategy for *resisting* gender based oppression. Despite the individual benefits this strategy contains a depoliticized subjectivity runs the risk of "establishing a wide chasm between the (experience of) empowerment and an actual capacity to shape the terms of political, social, or economic life" (Brown, 1995: 23). In terms of practical solutions to group problems, depoliticized introspective methods are not inherently liberating. Instead, as we have seen in the case of women in conflict with the law, they easily spawn policy and practices that focus on individual failings, and leave unjust power relationships unchallenged.

A further consequence of prioritizing gender oppression and its effects on self-esteem is that by essentializing women's experiences, self-esteem discourse allows white women to deny their own role in perpetuating class and racial oppression. White middle class women are thereby able to engage in a "race to innocence" (Fellows and Razack, 1998) by focussing on the way they are oppressed while ignoring white women's historical and contemporary complicity in sustaining other relations of dominance. One of the advantages of adopting a victimization perspective is that it precludes assuming responsibility for the ways in which white middle class women's social location contributes to other women's lack of privilege.

Another problem with assuming the centrality of gender oppression in all women's lives is that such an approach suggests that gender is somehow a "pure" experience. Race and class are viewed in an additive way, in that these experiences serve to amplify or exacerbate a fixed understanding of gender oppression. An alternative approach is to consider the fact that all women's experiences are racialized. White women's experience of being a woman is shaped by their racial positioning as *white* women. When white middle class women talk about gender oppression they do so in a way that presents them as "race-less." When we acknowledge that whiteness itself shapes and informs how we experience gender oppression it becomes clear that the separation between gender and race is artificial not only for women of colour but for white women as well. This approach forces us to then see the ways in which we are positioned unevenly and complexly in various social locations. When we take a white middle class female experience as the "norm" and suggest that it is the template for gender oppression, not only do we obscure the experiences of women of colour, working class, lesbian, and poor women, but we obscure the experiences of white middle class women as well, by failing to acknowledge that white women's oppression is also raced and classed.

In order to challenge theories that prioritize gender over all other forms of oppression, feminists scholars have advocated an "intersectional" (Crenshaw, 1989) approach as a strategy for analysing multiple sites of oppression. Intersectionality is a heuristic device used to reveal the "ability of social phenomena such as race, class, and gender to mutually construct one another" (Collins, 1998: 205). The metaphorical resonance of an intersection as a point at which multiple forms of oppression meet is a useful one for getting at the interconnectedness of various forms of domination. Acknowledging the interconnectedness of forms of oppression helps delineate the ways

that they are mutually reinforcing and to decentre gender as the most important form of women's oppression. If we accept Razack's (1998a) premise that all forms of domination are interlocking and dependent on one another then it is not possible to eradicate one form, such as sexism, without also eradicating class, racial and sexual oppression. In terms of an emancipatory politics then, interlocking oppression points the way towards a multi-directional and multi-dimensional vision that moves beyond individual experience of oppression.

However, the concept of intersectionality is not immune from individualization. The gravitation towards individualistic solutions to group problems makes an intersectional approach vulnerable to interpretations that ignore issues of power (Collins, 1998: 206-207). In addition, as Collins argues, the use of intersectionality to examine individual women's experiences as a site in which multiple forms of domination converge, does not adequately explain how certain *groups* of people are socially situated and constituted. This latter point is one with particular relevance to a project aimed at depathologizing and de-individualizing women's lawbreaking. As I illustrated in **Chapters Two and Four** of this study, the expression of black women's collective experience better delineated how racism circumscribed the choices available to black women, than did individual accounts. Unjust power relationships in the lives of abused women were also exposed through their narratives about how, as a group, they are socially situated. Further, the potency of the black women's focus group as well as white and Aboriginal women's development of intimate ties with other prisoners, suggest the power that group affiliation contains for constructing strategies for resistance. It makes sense then that problems that arise for members of groups who are similarly socially situated be addressed through group, rather than individual, means.

Strategies for resistance may provide a starting point for constructing these solutions. In **Chapter One** I argued that liberal constructions of autonomy prohibit an understanding of the complexity of oppression and resistance by constructing victimization and agency as oppositional experiences. Data from this study were used to illustrate the fallacy of this bipolarity and to expose the relationship between women's resistance to marginalization and their lawbreaking. I have used *resistance* to refer to a reactive state that describes women's agency within the context of certain forms of oppression. Not only does this term describe women's acts of agency, but it also invokes the notion that there must be something *to resist*. Thus resistance as a concept contains the assumption that there must be forces more powerful than the individual against which she is struggling. Examination of women's resistance must not remain at the level of individual choice or action however. To do so perpetuates the tradition of minimizing the significance of oppressive practices in favour of examining individual reactions to these practices.

Resistance in and of itself is not inherently emancipatory. Rather, it signals the existence of oppression and the agency of those being dominated. As a site of analysis, though, resistance strategies may possess the potential for moving from resistance towards transformation. For example, participants in this study who were abused as children and/or adults sought refuge in the company of those with similar experiences. The isolation and stigmatization of abuse forced many participants "outside" dominant values and structures. Connecting with similar "outsiders," for example those whose lives were on the street, helped women find a sense of belonging, despite their social exclusion. Similarly, women abused in adult relationships with males found comfort within their relationships with women in prison. As stated in **Chapter Three**, one participant explicitly said that

she felt like she “belonged” in prison because for the first time in her life she felt equal to others. Women’s resistance narratives point to the importance of group connections in cultivating strength and social perspectives on their individual experiences. Although qualitatively different, black women’s resistance strategies also pointed to the significance of their “outsider” status. A sense of cultural isolation and exclusion due to gender, class, and racial oppression made legal economic survival extremely difficult. In addition to a need to drastically restructure access to material resources, black women’s resistance narratives point to the importance of cultural/racial ties. The focus group process suggests the fruitfulness of this type of group interaction. Both inside and outside of prison racial solidarity can provide a sense of collective strength and foster critical analysis of individual struggles.

Implications for Social Work: Revisiting Empowerment

Throughout this study I have contested various forms of discourses about women in conflict with the law. In particular, I have argued against an individualistic/therapeutic framework that neutralizes women’s oppression and constructs marginalized women as the authors of their own fate. The philosophical question of how to delineate the relationship between self and social context is one with particular relevance to this project. Griffith states that “...politics are inseparable from the construction and maintenance of the self. The experience of acceptance and rejection, and the reaction to them cannot be understood without reference to the structures of power in the society in which the self finds itself”(1995: 93). Individual reactions to systemic exclusions and domination are symbolic of how certain groups are socially positioned. Although one’s specific responses to

exclusions may be unique, how one is socially located and the nature of the choices available to her are not. In addition, we cannot even do justice to individual experience if we do not contextualize such experience socially and politically. As Charlie pointed out when I said I wanted to know how *she* understood her own experiences rather than how the system interpreted them: “to be interested in *me*, you have to be interested in *them* to some degree.” Her comment stresses the inseparability of how the system defines her and how she defines and interprets her own experiences. Women prisoners’ self-definitions, much like other individuals whose experiences are shaped by unjust power relations, reverberate off a backdrop of dominant ideologies and discourses. Understanding individual experience can be a useful tool to discover how power operates. However, if one’s analysis remains at the individual level rather than using everyday experience to understand wider social structures, we risk individualizing and perpetuating unjust power relations and ideologies.

Data from this study show that despite the best of intentions, there is little potential for the relationship between correctional workers and prisoners to be empowering. Despite attempts to reduce the overt symbols of power, such as lack of uniforms and the euphemistic title of *Primary Worker* rather than *guard*, staff’s control over prisoners is paramount. Inevitably, as many prisoners who participated in this study noted, staff’s power to punish and control impedes the feasibility of developing a genuinely “trusting” or “supportive” relationship with prisoners. The inherent power imbalances between prison workers and prisoners present challenges to the provision of empowerment programming. For example, Sherwin (1998), paraphrasing Babbitt, writes that increased autonomy comes from the “making of choices that are not influenced by the wishes of those who dominate them” (Sherwin, 1998: 37). One method of increasing women’s autonomy in

prison and providing opportunities to develop skills and gain support is through the use of peer support groups. These groups have been found to be an effective means of increasing feelings of self-worth, promoting change in women's individual lives, and involving women in some form of collective action (Boudin, 1998: 107-108). In addition, non-professional peer groups help to create an autonomous space for women in prison (Boudin, 1998: 122) and may also provide an infrastructure for advocacy and support within the prison setting (Pollack, 1993).

Theories about relational autonomy presuppose the capacity for self-determination but require that individuals be given the opportunity to exercise this capacity (Nedelsky, 1989). Such opportunities are rare in prison and can be provided by fostering connections with community resources. Programming that emphasizes community links through job skill training and apprenticeships and provision of educational material offer such opportunities. Community linkages are particularly important given that prison dramatically increases isolation and disconnection from community support and may aggravate many of the problems, such as inadequate employment opportunities, that women had prior to imprisonment.

In terms of more therapeutic programming, such as trauma and addictions counselling, data from this study point to the importance of uncovering the impact that trauma and substance abuse has on women's sense of themselves as autonomous agents. This entails breaking down the victim/agent dichotomy in order to better understand the complexity of women's experience. In dismantling the victim/agent dichotomy, women may be able to see how they exercised agency despite limited opportunities and/or limited beliefs in themselves as agents. These approaches, particularly in a group format with women who share common experiences, provide a space for

critical reflection on the "social sources of individual pain" (Young, 1994: 52).

Programs and policies that aim to empower marginalized individuals need to examine the notion of autonomy underlying such strategies. They need to recognize how lack of autonomy shapes and circumscribes the availability of choices to substantially challenge oppressive circumstances. Acting as an agent, that is making a choice, does not necessarily signal the presence of autonomy. Oppression by its very definition means that ones' autonomy is impeded. An examination of the choices available rather than merely scrutinizing the nature of an individual decision, provides insights into how oppression works and where changes in relationships and structures should be made. This involves a process of "creating choices" beyond those offered under conditions of oppression.

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APPENDIX A

INFORMATION AND CONSENT FORM Primary Workers

Title of Research: Outsiders Inside: The Social Context of Women's Lawbreaking and Imprisonment

Researcher: Shoshana Pollack, Doctoral Candidate, Faculty of Social Work, University of Toronto

Study Information

The purpose of this study is to learn about the life experiences and programming needs of women in prison. Part of this study also involves learning about the experiences of working in a prison from the perspective of those on the front-lines of correctional work. Those on the front-line possess valuable knowledge and insights into the day to day experience of doing correctional work in institutions.

Your participation in this study will involve two meetings with the researcher. The **first meeting** is an interview that will last about one hour. The interview will ask questions about your role as a staff person, your job responsibilities, relationships with prisoners, and the rewards and challenges of doing this kind of work. The second meeting will involve reading and discussing the written transcripts of your interview and the opportunity for you to change or take out any information.

This research is for the purpose of my Doctoral research that I am doing at the University of Toronto. Participation in this study is completely voluntary and confidential. You have the right to leave the study at any time. The first meeting, the interview, will be tape recorded. You have the right to ask that all or any part of your interview not be tape recorded. You may turn the tape recorder off at any time. The tapes will be kept in a locked cabinet in the researcher's university office. The interview will be typed up from the tapes and you will have the opportunity to see these transcripts during the second meeting with the researcher. **The tapes will be destroyed after the transcripts have been typed up to make sure that your identity is kept private.** You may ask to have change or remove any of your comments from the transcript. Any information that could identify you will be taken out of the transcript and in the final thesis or

any publications you will not be able to be identified.

There are no direct benefits of participating in this study although the information you provide will help others better understand the experiences of working in a correctional institution.

Participant Consent

I _____ agree to participate in the study conducted by Shoshana Pollack from the University of Toronto. I am aware that this research is for the purpose of her dissertation and possible publications.

I acknowledge that the nature and purpose of the research being conducted by Shoshana Pollack has been explained to me and that any questions I have about the research have been answered to my satisfaction. I know that I am able to ask any further questions now or in the future about this research and my participation in the study.

I have been given a copy this **Information and Consent Form**.

I also understand the benefits of joining this research project. Any possible risks or discomforts that might come out of my participation have been explained to me.

I have been told that any information about me gained from this study will be kept private and that no information will be released or printed that would allow me to be identified in any way.

I have agreed to have this interview tape recorded. I am aware that I can turn the tape recorder off at any time if I do not want something recorded. I also am aware that I can ask that my tape be removed from the study at any time.

I understand that my participation in this study is completely voluntary and that I may decide to withdraw from the study at any time.

Name and Date

Signature

Witness and Date



APPENDIX B

INFORMATION AND CONSENT FORM Life History Interviews

Title of Research: Outsiders Inside: The Social Context of Women's Lawbreaking and Imprisonment

Researcher: Shoshana Pollack, Doctoral Candidate, Faculty of Social Work, University of Toronto

Study Information

The purpose of this study is to learn about the life experiences and programming needs of women in prison. The purpose of the **individual interview** is to learn about some of the life experiences of women in prison. The interview will involve questions about areas of your life such as work experience, education, family and relationships.

Participation in the individual interviews will involve two meetings. The **first meeting** will be the interview which will last about one hour. The **second meeting** will be for you to read the written transcript of the interview, to give you a chance to change or take out any of the information, and to discuss the content of your interview.

This research is not connected to any of the programs and services you receive at Grand Valley Institution. It is for the purpose of my Doctoral research that I am doing at the University of Toronto. Participation in this study is completely voluntary and confidential (private). You have the right to leave the study at any time. The first meeting, the interview, will be tape recorded. You have the right to ask that all or any part of your interview not be tape recorded. You may turn the tape recorder off at any time. The tapes will be kept in a locked cabinet in the researcher's university office. **The tapes will be destroyed after the transcripts have been typed up to make sure that your identity is kept private.** The interview will be typed up from the tapes and you will have the opportunity to see these transcripts during the second meeting with the researcher. At this meeting you may ask to have any of your comments removed from the transcript or change any of your comments. Any information that could identify you will be taken out of the transcript and in the final thesis or any publications you will not be able to be identified.

There are no direct benefits of participating in this study although the information you provide will help others better understand the experiences of women in conflict with the law.

Participant Consent

I _____ agree to participate in the study conducted by Shoshana Pollack from the University of Toronto. I am aware that this research is for the purpose of her dissertation and possible publications.

The nature and purpose of the research has been explained to me and questions I have about the research have been answered to my satisfaction. I know that I am able to ask any further questions now or in the future about this research and my participation in the study.

I have been given a copy of this **Information and Consent form**.

I also understand the benefits of joining this research project. Any possible risks or discomforts that might come out of my participation have been explained to me.

I have been told that any information about me gained from this study will be kept private and that no information will be released or printed that would allow me to be identified in any way.

I have agreed to have this interview tape recorded. I am aware that I can turn the tape recorder off at any time if I do not want something recorded. I also am aware that I can ask that my tape be removed from the study and I myself may decide to no longer participate in the study at any time.

I understand that my participation in this study is completely voluntary and that my decision whether or not to participate will in no way effect the treatment I receive in this institution.

Name and Date

Signature

Witness and Date



APPENDIX C

INFORMATION AND CONSENT FORM Focus Group Participants

Title of Research: Outsiders Inside: The Social Context of Women's Lawbreaking and Imprisonment

Researcher: Shoshana Pollack, Doctoral Candidate, Faculty of Social Work, University of Toronto

Study Information

The purpose of this study is to learn about the life experiences and programming needs of women in prison. The purpose of the **focus group** is to learn about the kinds of issues women face and the ways that they deal with these issues.

Participation in the focus group will involve two meetings. The **first meeting** will be to discuss themes about women's needs, experiences, and supports in a group of about six other women. The **second meeting** will involve a discussion of the general themes that came out of the focus group and to provide feedback to the researcher about these themes. You will be asked to sign a confidentiality form that says you agree to keep participant's comments private and not share specific information about what a group member says to anyone not involved in the focus group.

This research is not connected to any of the programs and services you receive at Grand Valley Institution. It is for the purpose of my Doctoral research that I am doing at the University of Toronto. Participation in this study is completely voluntary and confidential (private). You have the right to leave the study at any time. The focus groups will be tape recorded. The content of the focus groups will be typed up from the tapes and you will have the opportunity to see these transcripts during the second meeting of the focus group. You have the right to ask that the tape recorder be turned off at any time during the meeting and to have any of your comments removed from the transcripts. The tapes will be kept in a locked cabinet in the researcher's university office. **The tapes will be destroyed after the transcripts have been typed up to make sure that your identity is kept private.** Any information that could identify you will be taken out of the transcript and in the final thesis or any publications you will not be able to be identified.

There are no direct benefits of participating in this study although the information you provide will help others better understand the experiences of women in conflict with the law.

Participant Consent

I _____ agree to participate in the study conducted by Shoshana Pollack from the University of Toronto. I am aware that this research is for the purpose of her dissertation and possible publications.

The nature and purpose of the research has been explained to me and questions I have about the research have been answered to my satisfaction. I know that I am able to ask any further questions now or in the future about this research and my participation in the study.

I have been given a copy of this **Information and Consent Form**.

I also understand the benefits of joining this research project. Any possible risks or discomforts that might come out of my participation have been explained to me.

I have been told that any information about me gained from this study will be kept private and that no information will be released or printed that would allow me to be identified in any way.

I have agreed to the tape recording of the focus group. I am aware that I can ask that the tape recorder be turned off at any time if I do not want something recorded. I also am aware that I can ask that my comments be removed from the study and that I myself may decide to no longer participate in the study at any time.

I understand that my participation in this study is completely voluntary and that my decision whether or not to participate will in no way effect the treatment I receive in this institution.

Name and Date

Signature

Witness and Date

APPENDIX D

**DEMOGRAPHIC AND PSYCHO-SOCIAL INFORMATION
LIFE HISTORY PARTICIPANTS**

RACE/ETHNICITY	
Black	5
Caucasian	7
Bicultural (Aboriginal/ Caucasian)	2
Aboriginal	1
Total	15

HIGHEST LEVEL OF EDUCATION COMPLETED	
Gr. 8 - Gr. 10	7
Gr. 11- Gr. 13	5
Some college/university courses	2
Completed College	1
Total	15

ABUSE AND SUBSTANCE ABUSE	
Childhood Sexual/Physical Abuse	10
Physical Abuse in Adult Relationships with Males	14
Physical Abuse in Adult Relationships with Females	2
Drug/Alcohol Addiction	10

APPENDIX D (con't)

CONVICTION TYPES	
Break and Enter	Theft
Possession/Trafficking of Narcotics	Manslaughter
Second Degree Murder	Armed Robbery
Bank Robbery	Fraud
Importing Drugs	

SENTENCE LENGTHS	
2 - 5 yrs	11
5-10 yrs	1
10-15 yrs	0
15-20 yrs	0
20yrs-life	3
Total	15

AGE	
20-30 yrs.	3
30-40 yrs.	6
40-50 yrs.	3
50-60 yrs.	2
60-70 yrs.	1
Total	15

APPENDIX E

**FACT SHEET
Life History Interviews**

Date of Interview _____

Code Name _____

Sentence Length _____

Time Served on this Sentence _____

Conviction _____

Prior Sentence [] yes [] no How Many? _____

Priors Served Where? _____

Conviction for Priors _____

Age _____

Race/Ethnicity/Culture _____

Type of Programming/Services Utilized at G.V.I.

Did you go to school? []yes []no

Level completed? _____

What kinds of jobs have you had?

Have you ever lived on the street? yes no

When? _____

For how long? _____

Have you worked on the street?

When? _____

For how long? _____

Have you been involved in abusive relationships as an adult?

yes no don't know

If yes, with whom?

male partner female partner other

Where you abused as a child? yes no don't know

Type of abuse: physical sexual emotional neglect

Do you have a problem with drugs/alcohol yes no don't know

Have you received welfare? yes no

When? _____ For how long? _____

APPENDIX F**INTERVIEW GUIDE****Life history interviews****School and Work**

What were your experiences of being in school?

Possible Probes

- * Did you enjoy school? Why? Why not?
- * Can you think of something that was positive about school? Negative?
- * Can you describe your relationship with other students? With teachers?

Can you tell me about some of your work experiences (paid, unpaid; legal, illegal)?

Possible Probes

- * What kind of work do you like to do? Have you been able to get jobs doing what you like to do?
- * What made you decide to do this kind of work?
- * What kinds of skills have you had to use at your job (s)?

Relationships

What kinds of intimate/romantic/love relationships have you had?

- * What were these relationships like?
- * Do you have children? How would you describe your relationship with your child/children?

What kinds of relationships or experiences have you had that have made you feel good about yourself? Not good about yourself?

- * any kind of relationship, romantic, professional, educative, peer

What kinds of situations have you experienced in which you were able to decide for yourself what was best for you?

Can you tell me about a time when you felt like you didn't have very much control over something that was happening in your life?

- * how did you cope with it? How did you feel?
- * Did you receive any help during this time?

Family

Can you tell me a little bit about you family and your life growing up? What was it like for you?

Possible Probes

- * Who was in the household?
- * How were they financially? What kinds of jobs did the adults in the household have?
- * How would you describe your relationships with each member of the family?
- *What did you enjoy about your family? Specific examples.
- *What kinds of difficulties did you and your family experience? How did you and your family deal with these difficulties? Specific examples.

Lawbreaking

What do you think are some of the reasons you ended up at GVI?

APPENDIX G**INTERVIEW GUIDE
FOCUS GROUP****Needs and Services**

What kinds of issues do women in prison need help with ?

What kind of services would provide this kind of help?

*Possible Probes: What kinds of help would be necessary for women to feel like they could make changes in their life? What kinds of changes would these be?

What do you see as the kinds of strengths and skills women in prison have?

What kinds of help do you think women need when they get released?

Struggles & Supports

What kinds of issues did women struggle with, before coming to GVI?

Possible Probes: Do you think that women's race/class/gender/sexuality influences these experiences in any way?

What are some of the ways that they cope with these kinds of problems?

What are the main sources of support women use to help them deal with life on the outside?

In your experience, do women use professional services very much? Such as counsellors, welfare workers, rape crisis centres...etc?

*Possible Probes: What *kinds of* contact have women in prison had with professionals like social workers, mental health workers, etc...? Has this contact been voluntary? Within an institution? What is helpful about these kinds of services? What is not so helpful? Specific examples?

Relationships

What do you think makes women feel good about themselves?

* Possible Probes: What kinds of relationships and situations help create this feeling?

What makes women feel badly about themselves?

Possible Probes: What kinds of relationships and situations create this feeling?

What kinds of things help women to feel in control of their lives?

*Possible probes: Is there a relationship between feeling in control or trying to take control over their lives and lawbreaking?

Lawbreaking

Why do you think some women become involved in lawbreaking? What kinds of things might prevent women from breaking the law?