

Chapter 1

Introduction to Gender, Criminalization, Imprisonment and Human Rights in Southeast Asia

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Abstract

In this introductory chapter, we discuss the impetus for this edited book. We introduce activist, critical and feminist criminological theorizing and research on gender, intersectionality, criminalization, and carceral experiences. The scene is set for the chapters to follow by providing a general overview of gender, criminalization, imprisonment, and human rights in Southeast Asia with particular attention being paid to Indonesia, Malaysia, Cambodia, Thailand, Myanmar, and the Philippines. We consider trends and drivers of women's imprisonment in the region, against the backdrop of the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders, also known as the Bangkok Rules, which were adopted by the United Nations General Assembly just over a decade ago. We reflect on the dominance of western centric feminist (and malestream) criminological works on gender, criminalization and imprisonment, the positioning of Southeast Asian knowledge on the peripheries of Asian criminology and the importance of bringing to light, as this book does, gendered activist scholarship in this region of the world.

Keywords: Gender; criminalization; imprisonment; human rights; Southeast Asia; feminism; activism; critical criminology

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Setting the Scene

Throughout history, women in conflict with the law and those behind prison walls, have been afterthoughts, often ignored because of their small numbers, making them a relatively invisible or forgotten population (Chesney-Lind, 1998; Jeffries, 2014; Owen, Wells, & Pollock, 2017). As a result, criminal law, justice systems, and prisons across the world have shown little evidence of gender sensitivity in policy or practice, leading to discrimination, social exclusion, and violations of human rights. The absence of gender-sensitive perspectives results in systems that are structurally blind to gender-specific challenges and harms within the field of criminal justice in general, and particularly in prisons. It is critical that gendered needs, including how these intersect with other forms of inequality, are paid more attention, better understood, and adequately reflected in law, policy and practice.

Over the last several decades, the number of detained women worldwide has surged (Walmsley, 2017). Women are no longer as invisible as they once were and concurrently, there has been increasing recognition of their human rights when they come into conflict with the law, and especially behind prison walls (Penal Reform International & Thailand Institute of Justice, 2021; United Nations General Assembly, 2010). Just over a decade ago, the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders, also known as the Bangkok Rules, were adopted by the 193 countries at the United Nations General Assembly (2010).

The adoption of the Bangkok Rules has not interrupted increases in women's imprisonment, even though the Rules contain important commitments concerning non-custodial alternatives that should have reduced population numbers (Fernández & Nougier, 2021, p. 4). In Southeast Asia, as is the case globally, there have been substantial upward trends in women's detention (Jeffries, 2014; Jeffries & Chuenurah, 2016; Walmsley, 2017; World Prison Brief, 2021). This expansion in the region is being driven by heightened punitiveness, including government "crackdowns" on the illicit drug trade, human trafficking, and immigration (Jeffries, 2014).

Most notably, the war on drugs (global and local) has resulted in large numbers of women being imprisoned throughout Southeast Asia (Chuenurah & Sornprohm, 2020; Fernández & Nougier, 2021; Jeffries, 2014; Jeffries & Chuenurah, 2016). Sentences for drug offending are harsh, incorporating long-term incarceration, mandatory life, and the death penalty in all but two Southeast Asian countries (Cambodia and the Philippines). Furthermore, the number of people being incarcerated pre-trial, and thus presumed innocent, is skyrocketing. In the Philippines, for example, drug laws establish mandatory pre-trial detention (Chuenurah & Sornprohm, 2020, p. 132; Fernández & Nougier, 2021, p. 7; Penal Reform International & Thailand Institute of Justice, 2021). While figures by gender are not publicly accessible, data provided by the World Prison Brief (2021) show that in some Southeast Asian countries, around 7 out of 10 people in prison are pre-trial detainees. The overall result is prison overpopulation. Aside from Singapore, all prisons in the region are at over 100% capacity, with some

sitting above 400% (Table 1). Custodial overcrowding and concomitant under-resourcing pose obstacles to protecting the human rights of those deprived of liberty, including with regard to healthcare, education, and humane treatment (Chuenurah & Sornprohm, 2020, p. 132; Fernández & Nougier, 2021, p. 19; Penal Reform International & Thailand Institute of Justice, 2021). It is important to stress, that representing overcrowding in numerical terms fails to do justice to the experience of living under these conditions. As argued by Schmidt and Jefferson (2021, p. 82),

overcrowding, we believe, cannot be understood only as a quantitative category. It is not about percentages or about exceeding capacity but bodies in close proximity, living, breathing, infectious, aching, sick, damaged, and sensorially extreme.

Table 1. Pre-Trial Detention and Prison Overcrowding in Southeast Asia.

Country	Year	Pre-Trial (%)	Occupancy Level (%) Based on Official Capacity
Thailand	2021	19	339
Cambodia	2019	71	355
Indonesia	2021	20	196
Myanmar	2017	15	139
Malaysia	2019	27	132
Vietnam	2019	12	Unknown
Singapore	2020	11	79
Laos	2016	67	Unknown
Philippines	2018	75	464
Brunei	2019	7	144

Source: World Prison Brief (2021).

In 2017, the World Prison Brief listed the top 10 countries with the highest female prisoner numbers, in which 5 were in Southeast Asia: Thailand, the Philippines, Indonesia, Vietnam, and Myanmar (Walmsley, 2017). On average, globally, women constitute around 7% of the total global prison population, and are incarcerated at a rate of 9.9 per 100,000. As demonstrated in Table 2, both figures are higher in nearly every Southeast Asian country. The overuse of imprisonment for women in Thailand is particularly stark, with more women in prison here than elsewhere in the region. Furthermore, after the United States, Thailand has the second highest rate of female incarceration in the world (Chuenurah & Sornprohm, 2020, p. 135; Walmsley, 2017; World Prison Brief, 2021).

Table 2. Females Imprisoned in Southeast Asia.

Country	Year	Number	Percentage of Total Prison Population	Rate per 100,000 Population
Thailand	2021	37,365	12%	54
Cambodia	2019	3,000	8%	18
Indonesia	2021	13,167	5%	5
Myanmar	2017	9,807	12%	18
Malaysia	2019	3,247	5%	10
Vietnam	2019	13,202	11%	14
Singapore	2020	1,246	11%	21
Laos	2016	1,503	18%	22
Philippines	2018	21,349	11%	20
Brunei	2019	162	12%	36

Source: World Prison Brief (2021).

The Impetus for this Book

In proposing this book on Gender, Criminalization, Imprisonment and Human Rights in Southeast Asia in the Emerald Activist Criminology series, our objective was to capture and collate the emerging work of activist scholars and grassroots advocates grappling to understand the lived experiences of cisgender women, transgender persons, other gender, and sexual minorities, as they encounter criminal justice systems in Southeast Asia. Exploring the complex interplay between conditions, needs, experiences, identities, and trajectories, our goal in the text that follows is to add significantly to our knowledge of the practices of gendered violation, victimization, and vulnerability facing people in conflict with the law and behind prison walls. Covering a range of country contexts – Indonesia, Malaysia, Cambodia, Thailand, Myanmar, the Philippines – and attentive to the variegated gendered experiences of different people on their way into, through, and/or beyond prison, this book contributes toward the development of theoretical and policy-oriented perspectives that are empirically grounded, rather than based on a presumed uniformity of experience.

For the most part, criminological scholarship undertaken within Asian societal contexts has been dominated by academics researching in a limited number of countries, employing masculinist theoretical paradigms (Lee & Laidler, 2013; Moosavi, 2019a). While we have witnessed advancement in criminological knowledge production from East Asia, including Japan, Hong Kong, China, South Korea, and Taiwan, some countries remain on the periphery within the Asian ambit (Lee & Laidler, 2013, p. 144). These tangential sites comprise Southeast Asian countries such as Malaysia, Cambodia, Thailand, Indonesia, Myanmar, and the Philippines (Belknap, 2016, p. 253; Lee & Laidler, 2013, p. 144). Furthermore, even among the relatively active centers of criminological knowledge

production in East Asia, most work focuses on testing and reproducing western criminological scholarship, frameworks, and knowledges (Belknap, 2016, p. 256; Lee & Laidler, 2013, p. 150). This work generally coalesces within the domain of new right realist criminology, being “administrative, positivist, quantitative and geared toward reducing crime from a state perspective” (Moosavi, 2019, p. 266). Issues of power, including gender, class, race/ethnicity, and sexuality have not been central to the research agendas of criminologists researching in East Asian countries (Belknap, 2016; Moosavi, 2019, p. 266).

Yet, for the editors of this book, what has become increasingly obvious after years of undertaking collaborative research in Southeast Asia, is the emergence of a burgeoning collection of critical criminological scholarship in the region, including gendered activist work. These endeavors are not limited to academe; they include collaborations with those working at the “frontline” in human rights organizations, NGOs, and government, all of whom seek to effectuate positive change in criminal justice policy, practice, and more broadly. The primary aim of this book is to make this more critical body of work visible.

In contrast to administrative or right realist criminology that has dominated criminological work undertaken in Asia to date, critical criminology is concerned with issues of social structural power. Those working within this activist framework make evident the injustice of criminal justice, and unpack how systems of power mark experiences of criminalization and imprisonment. Ultimately, the aim is the creation of a more socially just society across numerous domains, including, and especially within (and sometimes also against) the criminal justice system (Arrigo, 2016; Belknap, 2016; DeKeseredy & Dragiewicz, 2018; White, Haines, & Asquith, 2017, pp. 209–230).

Feminist Criminology, Human Rights and the Chapters that Follow

Feminist criminology sits within the critical criminological paradigm. The collective goal is to speak truth to patriarchal power by centering and valuing the voices of criminalized women and raising awareness of gender oppression (Barberet, 2014, p. 16; Belknap, 2016, p. 14). Ultimately, feminist criminologists have tasked themselves with calling out gendered injustice and advocating for change in the conditions of criminal justice and society more broadly, that is harmful or oppressive to women in conflict with the law (Barberet, 2014, p. 16; Belknap, 2001; Britton, 2000; 2004; Carlen, 1985; Chesney-Lind, 1997; Daly & Chesney-Lind, 1988; Miller & Mullins, 2008; Renzetti, 2018, p. 75). Explicitly or implicitly, feminist activism presents as the prevailing theme throughout this book. More specifically, the authors of the chapters that follow build on two bodies of feminist criminological work that has, until recently, been dominated by western scholarship – pathways and feminist explorations of women’s imprisonment.

Beginning with Daly’s (1994) seminal work in the United States, feminist pathways researchers have mapped the life experiences leading women into the criminal justice system, exploring how gender shapes criminalization. These

studies revealed a particular and shared gendered backstory in the lives of women who come into conflict with the law, which is qualitatively different from that of men (Evans, 2018, pp. 41–43; Miller & Mullins, 2008, pp. 229–232; Wattanaporn & Holtfreter, 2014). Women's pathways are generally characterized by histories of gender-based violence (e.g., sexual and domestic abuse), associated trauma, substance abuse, economic marginalization, caregiving, problematic familial relationships, and intimate entanglements with men (see Daly, 1994; Owen et al., 2017; Wattanaporn & Holtfreter, 2014 and for studies in Asia, see Cherukuri, Britton, & Subramaniam, 2009; Khalid & Khan, 2013; Kim, Gerber, & Kim, 2007; Jeffries & Chuenurah, 2018; Jeffries & Chuenurah, 2019; Jeffries, Chuenurah, Rao, & Park, 2019; Jeffries, Chuenurah, & Russell, 2020; Jeffries, Rao, Chuenurah, & Fitz-Gerald, 2021; Russell, Jeffries, Hayes, Thipphayamongkoludom, & Chuenurah, 2020; Shen, 2015; Veloso, 2016).

At its core, feminist pathways scholarship highlights how patriarchal social structures play out in the lives of criminalized women, oppressing them through interpersonal, family, and state-sanctioned abuses (e.g., political and economic marginalization). Rather than pathologizing women and seeing their offending as something inherent at the level of the individual, feminist pathways scholars have sought to locate women's criminalization within social structural forces intimately related to gendered power relationships and associated access to resources. Women, it is argued, are frequently criminalized for exacting behaviors of survival within contexts of patriarchal subjugation (Willison & O'Brien, 2017).

In this book, Veloso (Chapter 9), and Russell and co-authors (Chapter 7) have specifically applied a feminist pathways approach to explore the imprisonment trajectories of women formerly on death row in the Philippines, and older women incarcerated in Thailand. The research findings presented in both chapters mirror the themes of previous feminist pathways studies. For the women in Veloso's (Chapter 9) study, economic precarity, victimization, and addiction were dominant themes in their lives, alongside deception, betrayal, and corrupted patriarchal systems of justice. Russell, Jeffries, and Chuenurah (Chapter 7) conclude that the older women in their research had either come into conflict with the law because they were providing for their families against the backdrop of poverty, took "the fall" for loved ones, or had self-medicated with illicit drugs in response to adversity and victimization.

The centrality of pre-existing conditions of gendered social structural vulnerability, putting women at risk of criminal justice system involvement, is highlighted in other chapters. Jefferson and co-authors (Chapter 2) discuss how the criminalization of certain behaviors, normative expectations of womanhood, poverty, relationships, gender discrimination in law, access to justice, and treatment in the criminal justice system, alongside the patriarchy of the Tatmadaw (armed forces), especially in the aftermath of the 2021 military coup, underpin women's imprisonment in Myanmar. Harry (Chapter 3) highlights the gendered vulnerabilities of women sentenced to death in Indonesia and Malaysia. Gorter and Gover (Chapter 4) note that women behind prison walls in Cambodia often come from poor, disadvantaged backgrounds, and lack legal literacy. Rao and co-authors (Chapter 6) highlight similar themes in the life histories of ethnic minority women imprisoned in Thailand.

Around the same time that Daly (1994) was writing, other scholars were attempting to understand the backgrounds and experiences of incarcerated women, alongside the collateral damages of carcerality through a feminist lens (e.g., Bosworth & Carrabine, 2001; Carlen, 1985; 1998; Chesney-Lind, 1991; Owen, 1998; Pollock-Byrne, 1990). In terms of the former, findings align with feminist pathways scholarship. Regarding the latter, women's time in prison was characterized by multiple interlocking gendered harms and abuses. Women experience and adapt to incarceration differently than men due to their distinct incarceration pathways and because prisons are patriarchal institutions built by men for men. Gender exacerbates the pains of imprisonment, with resultant long-term negative implications to women's well-being post-release, including deepening poverty, loss of children and familial connection, stigma, increased socio-economic isolation, trauma, and mental health problems (including substance abuse) (Owen et al., 2017). Feminist criminologists have called attention to the plight of imprisoned women, leveling criticism at prisons for being gender oppressive institutions unresponsive to women's needs (Barberet, 2014, p. 51).

There have been subsequent feminist calls for the development of a women-wise penology that recognizes the impact of patriarchal oppression on women through the development of gender-responsive prisons and increased use of non-custodial sentencing measures (Bloom, Owen, & Covington, 2003, 2004; Evans, 2018, p. 45; Owen et al., 2017). For many, negating the characteristics of women's criminalization trajectories (e.g., poverty, victimization, trauma), their experiences, needs, and concomitant gendered harms behind prison walls and post-release, constitutes a violation of human rights (Gainsborough, 2008; Gundy & Baumann-Grau, 2013; Willison & O'Brien, 2017, pp. 39–40). As argued by Gundy and Baumann-Grau (2013, pp. 106–107) ignoring the effects of patriarchy on women before, during, and after incarceration, the gender-specific factors underpinning their criminalization, and the gendered harms and abuses experienced, constitutes discrimination against women and violates multiple international conventions regulating the preservation of human dignity and equality. These conventions include, but are not limited to, the United Nations Conventions against Torture and other Cruel, Inhumane or Degrading Treatment or Punishment (United Nations General Assembly, 1984) and Elimination of All Forms of Discrimination against Women (United Nations General Assembly, 1981); the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) (United Nations General Assembly, 2016), and the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the Bangkok Rules) (United Nations General Assembly, 2010).

As noted previously, the Bangkok Rules were adopted by the United Nations in 2010 and are described as being a “landmark step in adapting the 1955 Standard Minimum Rules for the Treatment of Prisons [currently the Nelson Mandela Rules] to women offenders and prisoners” (Barberet & Jackson, 2017, p. 214). Until their adoption, international human rights standards had not properly reflected the specific gendered needs of women, both as prisoners and regarding alternatives to imprisonment (Penal Reform International, 2013). The Bangkok

Rules reflect the research evidence gleaned from feminist pathways and penal scholarship. They provide a starting point for addressing the appropriate treatment of criminalized women and their children. Spearheaded in Southeast Asia by Princess Bajrakitiyabha Mahidol of Thailand (a prosecutor, jurist, and leading women's rights advocate), the rules were drafted in close consultation with feminist researchers and prison activists from around the world, and taken by a Thai delegation to the United Nations (Barberet & Jackson, 2017, p. 221).

The 70 Bangkok Rules provide a practical and aspirational set of human rights principles via a set of gendered directives to policymakers, legislators, sentencing authorities, and correctional institutions (Gainsborough, 2008). There is recognition that criminalized women and their children are especially vulnerable, that women in conflict with the law have different needs from men, are generally non-violent, subsequently pose minimal risk to society, and that existing systems of corrections are masculinist. The rules consider, amongst other things, high levels of victimization, trauma, substance abuse, mental ill-health, poverty, women's primary childcare responsibilities, and reproductive health care needs. They advocate for non-custodial measures alongside the need for gender-specific prison programs, policies, and practices, that support women's well-being, rehabilitation, and reintegration (Barberet & Jackson, 2017; Carlen, 2012; Gundy & Baumann-Grau, 2013, pp. 11–12; Penal Reform International, 2013). The rules also specifically address the needs of the children who are negatively impacted when their main caregiver (mother) comes into confrontation with the criminal justice system; there is an expectation that the best interests of children are considered (Penal Reform International, 2013, pp. 3–5).

The gendered challenges faced by imprisoned women, and by extension, the need for a more gender-informed approach, are highlighted in several chapters in this book. Gorter and Gover (Chapter 4) discuss the human rights challenges faced by imprisoned mothers and their children in Cambodia. As grass-roots advocates working “on the ground” for an Non-Government Organization, the authors overview a program developed by their organization that aims to support women and their children at risk of separation through imprisonment, recognizing the importance of familial relationships to women's rehabilitation and reintegration. In Chapter 5, a research team from Myanmar¹ explore and critically reflect on the rehabilitative and re-integrative potential of work tasks assigned to female prisoners in Myanmar. Jefferson and researchers from Myanmar² (Chapter 2) deliberate on the challenges faced by women imprisoned in Myanmar regarding their basic human right to health care. More broadly, the authors of this chapter summarize findings from an interview-based case-study, examining the gendered experience of imprisonment, the character of prisons, practices of repression and resistance, and reflect on what the future may hold in the wake of the 2021

¹Given the current circumstances in Myanmar and for reasons of safety and security, it is with much regret that we feel unable to reveal the names of the authors of this chapter.

²Given the current circumstances in Myanmar and for reasons of safety and security, it is with much regret that we feel unable to reveal the names of the co-producers of this chapter.

Tatmadaw coup. In Chapter 10, Chuenurah, Owen, and Rao consider the progress made, and challenges faced, in implementing and promoting the Bangkok Rules throughout Southeast Asia.

It is important to note that gender-responsive criminal justice and the feminist criminological scholarship underpinning it, has been critiqued for sidelining other crucial aspects of discrimination and oppression, such as race, ethnicity, indigeneity, sexuality, and gender diversity (Barberet & Jackson, 2017; Hannah-Moffat, 2010). While the Bangkok Rules do make a fleeting reference to the vulnerabilities of women from Indigenous, ethnic, and racial minority groups, there is a relative lack of depth around considerations of intersectional oppressions or kyriarchy (Barberet & Jackson, 2017, pp. 225–226). Since the 1990s, feminist criminologists have been calling for and undertaking research exploring the juncture of gender, race, and ethnicity (Burgess-Proctor, 2006; Chesney-Lind, 2006; Collins, 2000; Miller & Mullins, 2008; Potter, 2006; 2013; Richie, 1996). While intersectional criminological feminism is described as profoundly activist, being embedded in effecting structural changes to promote social justice and equity, these endeavors have been dominated by scholarship in western countries (Barberet, 2014, p. 1; Gueta, 2020; Potter, 2013, p. 314).

Utilizing the Bangkok Rules as an assessment framework, Rao, Park, and Jeffries (Chapter 6) employ a feminist intersectional approach to explore axes of gender and ethnicity in the lived experiences of women imprisoned in Thailand. Focusing on Indonesia and Malaysia, Harry (Chapter 3) critically reflects on the implications of calls by activist groups in Southeast Asia for women criminalized and sentenced to death for drug trafficking to be reconceptualized as human trafficking victims. She argues that while this reconfiguration may present as an obvious feminist activist platform to seek reform and remove women from death row, in practice, it may play out in racialized and gendered ways, impeding women's mobility, agency, and livelihood. Intersectionality, this time between gender and age, is also evident in Russell, Jeffries, and Chuenurah's (Chapter 7) exploration of older women's pathways to prison in Thailand. In Chapter 10, Chuenurah, Owen, and Rao reflect on what they describe as the complexity of layers of harm, noting that in implementing the Bangkok Rules in Southeast Asian prisons, we must ensure that women from all racial, ethnic, and cultural groups are accorded full human rights protections, and equal access to programs, services, and opportunities.

There is a tendency within feminist criminology to conceptualize gender in binary terms by focusing on cisgender heterosexual identified women to the detriment of transgender and non-heteronormative sexual identities. Perhaps unsurprisingly, therefore, and as highlighted by Chuenurah and colleagues in Chapter 10, gender and sexual diversity is invisible in the United Nations Bangkok Rules (also see Barberet & Jackson, 2017, p. 225). In academe, this shortcoming has recently been highlighted through the emergence of Queer criminology, a new arm of critical criminological activism seeking to "address a variety of injustices – whether in the form of discrimination, heteronormativity, gender binarism, or invisibility – experienced by queer communities in the realm of criminal justice, criminology, and beyond" (Ball, 2014, 2016, p. 473, Buist & Lenning, 2015; Buist, Lenning, & Ball, 2018; Buist & Stone, 2014; Woods, 2014).

In Chapter 8, Pravattiyagul's exploration of transgender experiences of imprisonment in Thailand examines identity formation and reproduction behind prison walls, how transgender prisoners use gender to strategically negotiate power and offers a corrective to the western scholarly literature on transgender carceral experiences. Jefferson and co-authors (Chapter 2) also illuminate LGBTQIA+ carceral experiences in Myanmar, including encounters with the police and judiciary on the way into prison. They consider how what is coined "shadow law" is implemented in ways that result in sexual and gender minorities being targeted, harassed, and criminalized. Once again, they contemplate what this now means under Tatmadaw rule post-coup.

It is important to note that within feminist criminology, there is some discontent being voiced about the motility toward gender-responsive prisons (Carlton, 2018; Evans, 2018; Hannah-Moffat, 2010; O'Brien, Kim, Beck, & Bhuyan, 2020; Russell & Carlton, 2013; Terwiel, 2020; Whalley & Hackett, 2017; Willison & O'Brien, 2017). Some argue that gender-sensitive prison reform, as per the Bangkok Rules, could be co-opted by the patriarchal state and used to widen the net of confinement (Carlen, 2012, p. 156; O'Brien et al., 2020, p. 7; Russell & Carlton, 2013). Gender-responsive prisons theoretically, by extension, are more rehabilitative, and in place of other options, could become de facto social service agencies where women are imprisoned for "their own good" (Whalley & Hackett, 2017, p. 464).

In Chapter 10, Chuenurah and colleagues argue that in the spirit of the Bangkok Rules, and to achieve gendered human rights, we need to re-imagine punishment by moving away from imprisonment toward community-based sentencing. Yet, this could also result in net-widening, and some feminist scholars have questioned this position. After all, community corrections are rooted in the same structures of gendered oppression as prisons (Whalley & Hackett, 2017, p. 465). Neither gender-responsive prisons nor alternative non-custodial options address the reality that systems of law and justice are patriarchal, and therefore intrinsically and inescapably harmful to cisgender women, transpersons, and sexual minorities (Lawston & Meiners, 2014; Terwiel, 2020; Whalley & Hackett, 2017). The drug wars, for example, have become a war on women waged by patriarchy. Rather than engaging with the masculinist state and tinkering around the edges of the system through non-custodial measures and gender-responsive prisons, maybe feminist activism should be seeking to "dismantle the structural injustices that shape practices of criminalisation and imprisonment" (Carlton, 2018, p. 288; Davis & Rodriguez, 2000; Lawston & Meiners, 2014; O'Brien et al., 2020; Terwiel, 2020, pp. 431–433; Willison & O'Brien, 2017). This theme is evident in the arguments of Chuenurah and co-authors (Chapter 10), who posit that the Bangkok Rules and the feminist principles enshrined therein, should be used as a basis from which to dismantle punitive drug laws alongside the gendered discrimination and oppression that has emerged from them.

Arguably, feminist criminological activists should be investing in the long-term goal of transforming patriarchal social systems, including law and justice. However, in the short-term, and as noted by the authors of numerous chapters in this book, we still need to be investing in change that addresses criminalized cisgender

women, transgender persons, other gender, and sexual minorities immediate concerns and needs, reduces their suffering, and sense of powerlessness (Terwiel, 2020). In the long-term, we should be envisioning a world free of kyriarchy, a place where social institutions extend substantive equality and conditions of flourishing to all (Barberet & Jackson, 2017; Carlton, 2018; Davis & Rodriguez, 2000; O'Brien et al., 2020; Terwiel, 2020, pp. 431–433; Willison & O'Brien, 2017). In other words, as activist scholars concerned with subjugation, we should strive toward a more egalitarian society where “cage-based” punishment becomes an impossibility (Davis & Rodriguez, 2000; Terwiel, 2020).