

Sexuality, gender and confined bodies: Female prisoners experiences of intimate visits in a Portuguese Prison

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Abstract

In a context designed to discipline and control prisoners' bodies, the inhibition, conditioning, and regulation of intimacy and sexuality raise paradoxical questions in the scope of prison policies. In this paper, drawing from data provided by interviews in a Portuguese female prison, our aim is to explore how intimacy practices of heterosexual couples are reconfigured in the shadow of penal control, with a particular focus on the experience of intimate visits. The analysis shows how women's narratives report conflicting and juxtaposing experiences regarding intimate visits, revealing an *ambivalent intimacy*.

Introduction

In a context designed to discipline and control the prisoners' bodies, the inhibition, conditioning, and regulation of intimacy and sexuality raise paradoxical questions in the scope of prison policies. Traditionally, the deprivation of heterosexual relationships within prison settings has led prisoners to consider it one of the main "pains of imprisonment" (Sykes, 1958). Within this framework, much of the research on this topic has focused on "alternative" sexual outlets in prison, such as same sex relationships, sexual assaults among prisoners, and masturbation (Hensley and Tewksbury, 2002). However, less attention has been given to open venues for the experience of sexuality among heterosexual couples in the prison context; criminal justice systems have been enabling this in several countries through the implementation of intimate/family visits.

In countries such as USA and Canada, there is some research that explores the reasons underlying the implementation of intimate and family prison visits, and analyses the reactions of institutional actors (managers and prison officers) to these penitentiary interventions (Bennett, 1989; Goetting, 1982; Vacheret, 2005). However, there is still very little information about how prisoners, and in particular imprisoned women, construct, experience, and perceive their intimate and sexual relations in prison settings (but see Lima, 2006 and Padovani, 2011 regarding the Brazilian context). In this paper, drawing from data provided by interviews in a Portuguese female prison, our aim is to explore how intimacy practices of heterosexual couples

are reconfigured in the shadow of penal control, with a particular focus on the experience of intimate visits.

Intimate visits in Portugal: implementation and gender asymmetries

Although international literature and official penal system statements present a wide variety of reasons relating to justifying intimate visits in prisons, which vary according to the countries and periods in which these programmes are implemented, three approaches stand out. One of them argues that, by meeting the sexual needs of prisoners, intimate visits could reduce the tension, hostility and violence among prisoners, presumably because of a long accumulation of frustrated sexual energy (D'Alessio *et al.*, 2012; Goetting, 1982, p.63).

The second perspective considers that intimate visits might reduce the formation of same-sex relationships, particularly among female prisoners (Padovani, 2011). The third argument indicates these visitation programmes are essential to preserve, enhance, and uphold relationships between prisoners and their partners, fostering marital stability and preventing separations commonly caused by imprisonment (Goetting, 1982, p.65; Vacheret, 2005). By extension, the maintenance of family relationships is also beneficial both as an instrument that enhances social control over prisoners (functioning as an incentive for prisoners to conform to institutional rules) and as a means that probably increases the likelihood of post-release success (Comfort *et al.*, 2005, p.6; Goetting, 1982).

The implementation of intimate visits in Portugal was framed within the third perspective. In Portugal, intimate visits emerged as a response to a recommendation of the Ombudsman and were conceptualized as a mechanism “which aims to prevent prisoners’ family disruption as well as other behavioural deviations resulting from the special conditions in which prisoners are located” (Provedoria de Justiça, 1996, p. 110). Nowadays, these encounters still aim to preserve family stability. In order to have access to intimate visits, prisoners must prove they maintain a "stable emotional relationship" (Law 51/2011; Law 115/2009).

In Portugal, intimate visits have been granted to heterosexual couples since 1999 and to same sex couples since 2009¹¹. The pilot project began to be implemented in “Vale de Judeus” prison and then in “Funchal”, expanding to several other prisons around the country since then. However, until 2010 there were no facilities available in Portuguese female prisons to facilitate intimate visits. Up to that year, imprisoned women had intimate visits only if their partners were also imprisoned.

These gender asymmetries connect to broader issues. As Cunha and Granja (forthcoming) notice “prisons are gendered institutions whose space and organization in themselves express a gender system that, in the case of women’s prisons, prioritizes reproduction and domesticity over other dimensions”. That is, specific requirements related to women in prison tend to embody and reproduce traditional gender ideologies, addressing female offenders mostly as mothers (Palomar, 2007), undervaluing other aspects of their identity, namely their sexuality (Constant, 2013). Thus, while imprisoned women in Portugal have for a long time had access to parenting within prison,¹² in contrast, male prisoners have had access to sexuality, through admission to intimate visits.

Currently, these differences no longer exist in the formal realm. Following broader Portuguese policies addressing gender inequalities, prison regulations have also incorporated the principles of neutrality and formal equality between women and men. Currently, both male and female prisoners may have access to intimate visits if the prison in which they are located has the necessary conditions¹³ and if they meet all the requirements to facilitate the intimate visits’ regime¹⁴. In this system, visits last 3 hours at most and occur on a monthly basis.

¹¹ For the integration of same sex relationships in the intimate visits regime see Law 115/2009. During the period of our fieldwork, however, no same sex conjugal visits took place in the prison facility where this research was based.

¹² Mothers are allowed to keep their children with them in prison until they are 3, exceptionally 5 years old (see Cunha & Granja (forthcoming) regarding the changes on parenting in prison that have occurred in recent years in Portugal).

¹³ Intimate visits must be held in appropriate facilities, equipped with furniture and suitable conditions, namely privacy (Law 51/2011).

¹⁴ In order to enter the intimate visits regime, prisoners must be married or maintain an analogous relationship. Prisoners may also be authorized to receive intimate visits if, in the course of prison sentence, they start an affective relationship with someone from whom they have received regular visits or regular mail over a year. The prisoner and the visitor person must be older than 18 years, unless they are married. Prisoners who benefitted in the last six months from home leaves cannot have access to intimate visits (Law 51/2011).

Methodology

This article forms part of research conducted in Portugal. Its main purpose is to explore, from female and male prisoners' perspectives, the familial and social impacts of imprisonment. Our analysis derives from data gathered from twenty interviews with female prisoners conducted in a Portuguese prison, between April and September 2011. The participants' verbal consent to conduct and record the interviews was obtained after they were informed about the study's aim and their anonymity was guaranteed. The interviews lasted, on average, a hundred minutes and the tapes were transcribed verbatim.

We used a theoretical sample, which was selected according to the development of the research. All participants are Portuguese, convicted, had been imprisoned for more than six months and had at least one child. Five respondents are Roma/Gypsies.

The interviews focused on the women's life stories, their family and intimate relationships and issues regarding their children, both before and during incarceration. For the purposes of this article, we shall focus exclusively on a partial analysis of the interviews, exploring how imprisoned women who maintain heterosexual relationships experience and conceptualize intimacy in specific constrained settings; we shall examine the implications of intimate visits for prisoners' experiences and for their romantic relationships.

Data were systematically categorised and synthesised into main themes. Based on a comprehensive and interpretative analysis of the narratives, the more illustrative extracts were selected in relation to: i) the meanings prisoners attribute to intimate visits; ii) the ways in which intimate visits imply the transposition of intimacy from the private to the public domain, iii) the reasons why some prisoners do not want to benefit from intimate visits.

The participants ranged in age from 20 to 52 years old, with an average age of 36. The women had low levels of education and social status: nine had fewer than five years of schooling and, prior to imprisonment, the majority had been dependent on welfare owing to low incomes, precarious work conditions, and high rates of unemployment.

Eight women interviewed were serving sentences for property offences and seven prisoners were convicted of crimes related to drug trafficking. Five participants were imprisoned because of crimes against people. Respondents' sentences ranged from two years and seven months to 25 years. Eighteen women were serving sentences of more than four and a half years.

Regarding the visits, six of the participants had intimate visits, three refused to enter the regime, two maintained same sex relationships with other prisoners, three women did not meet the necessary requirements for accessing these kinds of visits and six did not maintain intimate relationships. In the case of the partners of the prisoners who maintained heterosexual relationships (n=12), 10 of them were also imprisoned.

Results and discussion

“People shouldn’t think that we only have a visit just to have sex”: The meanings of intimate visits for female prisoners

Prison experience reconfigures the boundaries and contexts of intimate relationships (Comfort *et al.*, 2005). Women report how the forced separation, surveillance and discipline that characterize life in prison, disruptively influence their intimate relationships, by extensively limiting and constraining interactions with partners:

It's complicated [to maintain a relationship while we are imprisoned]. The distance makes us move away a bit from each other. Raquel (aged 20, theft, 7 years).

Within this framework, as reported by Mariana, prisoners who have access to intimate visits view them as a crucial mechanism in the upholding of social ties and in the maintenance of marital stability:

It is very good [to have intimate visits]. The first time I even cried there, I didn't believe I was there. We are together, we talk, we cry, we cuddle, we spoil each other. Those things that we do when we love someone (...) People shouldn't think that we only have a visit just to have sex (...) [Intimate visits] allow the couple to get closer, for people to maintain family ties. I think it's great! Mariana (aged 39, drug trafficking, 7 years).

As Mariana describes, the beneficial influences that women outline do not necessarily stem from the sexual encounters that intimate visits enable. Regardless of the time prisoners remained deprived of heterosexual intercourse during the course of their prison sentence (which was variable among the interviewed women), participants mainly highlight the emotional closeness to their partners that these visits allow. As Andreia says:

It is a really powerful force that we provide for one another. Of course everything happens! Sex happens... But there is something superior that makes me feel so good, so good. Andreia (aged 52, theft, 5 years and 6 months).

While bonding tends to emerge as a crucial aspect in the experience of intimate visits, sex generally assumes second place in prisoners' narratives. This is consistent with women prisoners' narratives, reported by Cunha (1994) before the implementation of intimate visits in Portuguese prisons, about the lack of sex among the pains of imprisonment when compared to the absence of other aspects of conjugal relationships. These gendered narratives reproduce broader patterns related to how women describe and conceive sexuality experiences (Pais, 1996). Sexual activities are described by female prisoners as conditional on the establishment of a strong bond between the members of the couple, which translates into commitment, reliability, loyalty, affection and companionship.

As Raquel shows, the absence of a "stable" relationship may constitute one of the reasons that lead prisoners to reject intimate visits, despite their partner's pressures to take part in this regime. This decision illustrates the ways in which women, although deprived of liberty, may still exert a certain amount of control and power over their bodies and their intimate relationships:

He [boyfriend] keeps putting a lot of pressure on me to accept intimate visits, he insists too much. I think that love isn't all about sex. There must be loyalty, peace, harmony, kindness, love, but not just sex! I am a woman. I know how to wait for him. I am very patient. (...) My boyfriend is afraid that I will leave prison and betray him with the first one that makes a move towards me, but no, I'm not like that. Raquel (aged 20, theft, 7 years).

Nevertheless, it is important to outline that the increased value that women assign to the romantic dimension of sexual encounters, may also serve to validate their

sexuality morally, owing to the different norms that traditionally regulate the sex life of men and women (Pais, 1996, p.4).

Besides fostering the maintenance of social ties, as Maria asserts, the intimate visits may also provide women “an escape” from prison life, helping prisoners to “forget”, even for a moment, where they are:

It is a time that by being with him, we completely forget where we are, we forget we are in prison. Maria (aged 35, attempted murder, 6 years).

This sense of alienation from their surroundings tends to be fostered, on the one hand, by the reduction of exposure, control and surveillance that characterize prison routines and regular visits with relatives, and, on the other hand, by the particular logistics that intimate visits involve. Isabel refers to the differences she experienced between regular and intimate visits:

For 3 years I wasn't with him alone. We used to see each other every month but it is different, the guards walking around us, it is different, completely different! Three years later we were able to be alone with each other, oh.... I can't explain that feeling, no, there's no explanation. Those three hours just seem to fly. We are always waiting for those visits and when we get there, time flies. Isabel (aged 32, drug trafficking, 5 years).

In contrast to the routine activity and exposure during regular contacts with relatives, as Maria Luísa remarks, for intimate visits, the organization of the room resembles an ordinary bedroom in a house, clearly underlining a difference from the cells in which prisoners are placed on an everyday basis:

Those three hours are wonderful [laughs]. We are also imprisoned but it is not in a cell, it is in a room, a room that has furniture, has a stove, and makes us forget for a bit where we are. Seems like we are elsewhere, not in jail. That's why I think that our relationship – it was already good - it's getting even better. Being here, without seeing him, we just write love letters and see each other once a month (...) It's like we were dating again [laughs]. Maria Luísa (aged 44, fraud, 5 years).

A relatively common idea among imprisoned women is that the privacy and intimate environment made possible by these kinds of visits, coupled with the exchange of letters, and the emotional investment of the couple in their relationship,

may foster the sublimation and revival of romantic relationships, which, in turn, play a crucial role in prisoners' motivation to face prison daily hardships. As Andreia points:

There [in intimate visits] we show each other that we have the same strength. If I didn't have this passion and if I didn't know that I have someone to live by my side with this strength, with this love ... I don't know how life in prison would be. This is not easy. (...) Just seeing him each month, knowing he is doing fine, I am too, and that we have great prospects for the future... The relationship keeps getting better, better! Andreia.

Prison as an “open book”: the collapse of boundaries between public and private domains

In the prison context, the sexual activity of prisoners is no longer seen as an intimate experience, enacted within a “wall of secrecy” and privacy (Elias, 1939, pp.307–308). All prisoners' behaviours, including their sexual interactions, become a matter of public interest within the penal realm (Lima, 2006; Comfort *et al.*, 2005).

Within this framework, the experience of sexuality in prison, especially through intimate visits, shows how intimacy is subtly transposed from the private to the public domain. Mariana's narrative clearly reflects this understanding;

I was the first to have intimate visits here. When I was accepted my approval was affixed in all the wards. Oh, how embarrassing! Here, this is an open book, everyone knows who I am, and everyone knew I was going to have intimate visits! Mariana.

Mariana describes prison as an “open book”, meaning that prison represents a context where the boundaries between public and private domains collapse, since everyone (e.g., officers, managers and prisoners) knows when and under what conditions women will have intimate visits, therefore challenging the secrecy and privacy that is commonly associated with intimate interactions.

Besides the public awareness, prisoners also refer to the security measures carried out by external agents, as another element that impinges on the couple's interactions during intimate visits. In a context such as prison, characterized by organizational models of control, security concerns underpin all procedures (Craig, 2004). Thus, before and after each intimate visit, prisoners must be submitted to a full

strip search (Law 51/2011) in order to assure that offenders are not bringing into prison instruments that may constitute a threat to the security of the institution.

As Isabel shows, security procedures are generally well received by prisoners, who agree with them and consider that they are in for their own security; *I agree with doing the body inspection after the visit to check if they [men] bring us something from other prisons. I fully agree.* Isabel.

However, different perceptions emerge regarding the ways in which full strip search is enacted: according to the interviewed women, these procedures are usually carried out by female officers with indifference, in a demeaning way that objectifies the body, which commonly contributes to deepening feelings of humiliation, embarrassment and exposure among prisoners.

They make us go naked as Our Lord placed us in the world, before entering the room we “do squats here, do squats there”. (...) They undress us all and then look at us idly. We feel bad [sigh] (...) I feel so ... oh, the first time I cried, cried and cried. When we go into the room, it seems as if we are already oppressed. And then, when we leave, they do it again, or even worse. I wanted to give up, but my husband asks me not to. Isabel.

Intimate visits therefore show how prison systems, while adopting a policy of allowing and not repressing sexual activity, continue to exert power over sexuality through subtle and diffuse' strategic forms of power (Foucault, 1976), experienced in the discrete signs of institutional rituals and hierarchies, which control the most intimate areas of each individual (Foucault, 1999).

These kinds of interferences in the couple's interactions are another reason that lead some prisoners to reject intimate visits (Lima, 2006).

I guess I would not feel right having intimate visits in a prison. (...) It is not only the issue of invading my privacy, it isn't only for me, it is also for him [boyfriend]. He has never served time in prison. [To have intimate visits] he would have to come to prison to have sex with me? No. I think that a man, coming from the outside to have sex with a woman in prison does not make sense. I don't know, for me it doesn't make sense. Sandra (aged 25, theft, 7 years).

As Sandra outlines, her partner has never been imprisoned, and therefore, she does not think it is fair to expose him to the specific mechanisms of penal monitoring

that challenge the intimacy of the couple, and extensively control the bodies and behaviour of both prisoners and non-prisoners.

Among women whose partners are also imprisoned, these particular issues regarding the invasion of privacy and the extension of correctional control are mitigated, although other concerns emerge. Prisoners report that, when both of the members of the couple are imprisoned, the procedures around full dress inspection are differently applied to men and women. Isabel acknowledges that women feel that they are unfairly subjected to a much more extensive and intrusive surveillance than their male partners:

To my husband they don't do anything, he doesn't let them do a body inspection! Because men are men. And we women, do everything they tell us to do, at least I do! When they [officers] go to my husband, they look at him and[show fear]. My husband says to the prison officers "do not touch me!" (...) If he comes from another prison to visit me, why do I have to take the whole body inspection and he doesn't? Do you think that's fair? My husband is not examined. And even if by any chance men are searched, it's like for a regular visit, they are searched over their clothes! It's not like us! No way! If they did it to men, men would beat them up! It's not fair! Isabel.

These gender asymmetries are considered to be unreasonable and promote feelings of perceived injustice among female prisoners, which potentially undermine their willingness to continue to take part in this visitation programme, despite its recognized benefits for conjugal relationships.

Conclusion

Women's narratives report conflicting experiences regarding intimate visits, revealing an *ambivalent intimacy*. On the one hand, these moments promote a sense of closeness to their partners and foster feelings of freedom and privacy, in contrast with the noisy, crowded, and exposed nature of regular contacts with relatives and highly monitored prison routines. On the other hand, intimate visits increase more subtle forms of power that entail the most intrusive scrutiny of intimacy within imprisonment.

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