

CHAPTER III

Prison within a prison: Locating the Women prisoners

3.1 Introduction

The expression "prison within a prison" is interpreted in two ways in the context of this chapter. One structural and the other symbolic. In the previous chapter, it was noted that the women's wards in both jails are situated in remote areas of the main prison compound. As a consequence of this, the women's wards are frequently referred to as "*Jailor bhitoror jail*" (prison within a prison) in jail terminology. The purpose of this chapter is to investigate whether or not the structural distinction that exists between male and female wards accounts for the women prisoners being subjected to a greater burden of punishment. In addition to this, the chapter investigates how the various control and disciplinary techniques are implemented within the jail for the women prisoners, through prison time and space, which symbolically locate them in a prison within a prison. Theoretically, through Foucauldian (1978) and Goffmanian (1961) lens, the chapter examines how prison function as a total institution and sees how power operates upon the women in the prison. The chapter begins with the instances of the women's initial days in prison, and then describes about the *gunti*, and then in the preceding sections discusses how control and discipline mechanisms of the prison operate upon the women.

3.2 The Journey into the Prison: *Laaz, Bhoi aru Dukh*¹ (Shame, Fear and pain)

The journey of the prisoners began with the admission procedure. '*Laaz*', '*Bhoi*' *aru*'*Dukh*' were common in the narratives to express what they were going through the initiation process as prisoners. The initial days' experience in prison was so profoundly impactful upon the women prisoners lives, that those experiences etched into their minds and became deeply rooted in their memories. I heard the admission encounters of almost all the respondents and found that the experiences of each woman were almost similar... Juri, a respondent recounted her first-day experience as

¹ Assamese terms for shame, fear and Pain

“On the day after the incident² occurred, first I was taken to the police station, after staying the night there, the next day in the late morning hours, the policewoman with some other policemen brought me here³. I was afraid to see so many gates, the huge wall, guards and big guns, such an unfamiliar space... I thought it was a dream... first I was taken inside the main office, the jail official asked my name, I was shivering...I couldn't utter anything, the policewoman, gave a jerk, and said, Tell your name... along with my name, she asked some other things and wrote everything down and took my left thumb impression. Then in some other papers also took my thumb impression, then I was taken out of the office, and a women in Khaki saree came and led me to a secluded area in the courtyard, where a tiny enclosure was set up with a black screen. She took me inside and proceeded to thoroughly check my entire body. I was perplexed by the situation... tears were continuously pouring ... Seeing my situation, she said I have to get used to it was a jail regulation. Then I was escorted by her to this women ward. I had no belongings with me, I wore the same saree for three days, and on the fourth day two extra sarees were sent from home”.

To fully understand the rapid transformation of a woman's personality and identity when she is imprisoned, it is crucial to tap the experience of their very first days in prison. Another respondent Soni expressed the experience of her first day entry into the female ward...

“Even today I clearly remembered *Baideu*... as soon as I entered this ward for the very first time, I was immediately greeted with a flurry of activity. There were a few women sleeping on the floor in front of the dormitories , a few were sitting motionless and still, and few were sitting in small groups. Some of the women were talking loudly, while others were laughing among themselves. Some of the women were washing their clothes , while others were bathing near the hand pump. Someone yelled "Welcome!" “ Welcome”!! *Notun murga ahi gol* (New hen came). I was made to sit on the floor, near the warder on duty. While the comments of the women continued... I was at a loss what to do...I started to feel anxious...nervous...How am I going to stay here among these women...While this was going on, the warder started speaking to me about the rules and regulations that I am required to adhere to while I am in the ward...I couldn't pay any heed to what she was saying...the overflowing comments of the women buzzed my ears...”

² Referring to her crime, on the day she committed.

³ Admission into the prison marks prisoner transference from police custody to judicial custody.

Malati another respondent detailed about her first night in the prison...

“That night I was really scared...everything was so strange, unknown women sleeping beside me... I couldn't at all sleep, I never slept with so many people together...some women slept naked... sounds of snoring, and weeping echoed throughout the room the whole night... On my part, every time I tried to sleep, the face of my daughter flashed before me, how will she manage without me, who will cook for her, wash her clothes, make her ready for school...How is she sleeping without me...”

Their findings are consistent with the information documented in criminology literature regarding the emotional susceptibility encountered by imprisoned individuals, sometimes referred to as 'entry shock'. This vulnerability is applicable to convicts of both genders (Gibbs, 1982; Harvey, 2007). In relation to their "first days" in prison, the majority of the women discussed the sensation of fear, and this was something that they continued to talk about even in subsequent days. The fact that the majority of the women described being separated from their children as a "pain of imprisonment" (Sykes, 1958) was clear from the accounts they provided. As soon as the women considered the fact that they were free from their obligations and responsibilities, a feeling of shame began to arise within them. The report on women in prison(GOI, 2018) found similar conclusions, indicating that the process of entering a jail is an extremely distressing and alarming experience for women. The feeling of shame and fear that the respondents exhibited resulted in a stigmatising impact (Goffman, 1963), in which women internalized the notion that they were "deviant" or "criminal." Furthermore, the women experienced a prevailing sense of dread when they made their initial visit to the institution. Anxiety towards the jail guards, apprehension towards the other women, trepidation regarding the process of adapting to prison life, and so forth. Soni expressed that aside from the regulations and limitations within the ward, she faced considerable difficulty adapting to the other women inmates residing in the ward. She realized that her life was unfolding in a challenging and unknown environment. The destabilization of most divisions within the free world is indeed a crucial element of Total Institution (Goffman, 1961, p. 43). She puts,

“I found the women so different from me, never in my life, I would have associated with this kind of woman in the outside. I am not saying they are bad, they are different...I hope you understand *Baideu*. It was like a struggle for me every day...and slowly with time, I managed ...”

Soni was a woman who was 10th pass, prior to her landing in jail, she worked in a private school as a caretaker, so basically, she used to stay in the company of educated people. Most of the women here were not educated, their way of thinking was different from hers and she found it difficult to adjust. However, individuals residing in Total Institutions such as prisons are subjected to "batch living," which entails living in groups with a total dissolution of distinct domains of life. Each routine activity, such as dining, takes place with the same individuals, in the same setting, under the guidance and observation of the same authority (Goffman, 1961) Indeed, it serves as a means to integrate prisoners into the established patterns of the prison and help them adapt to their new roles (Lempert, 2016). Yashoda in a frustrating tone said...

“Within the ward, wherever you go you find someone, not a single place where I could sit alone, *mur tu eyat nijoke eta sabi diya putola jen he lage* (Here I feel as if I am a key operated doll).

For these women before being imprisoned in a total institution like prison, the women had different lifestyles and carried out varied responsibilities. The notion of 'institutional ignominy' builds upon Goffman's theories regarding the process of mortification, with a particular emphasis on the ordeals faced by women prisoners as they progress through several stages of mortification, including admission to the institution and the subsequent severance of their external connections. When women enter prison, they are immediately disconnected from their home life and stripped of their previous roles and possessions. They adopt a new identity as "prisoners". This transformation occurs due to the implementation of disciplinary power, which systematically and perhaps unintentionally humiliates the self. Mortification, although often unpleasant, is a direct demonstration of the organization's authority. Outside the confines of the prison, individuals possess the autonomy to decide their meal times and choices, choose their bathing routines, and select their social interactions. However, women are deprived of such alternatives, as aptly described by one respondent that they are just key-operated dolls within the prison.

3.3 *Gunti* and its implications

Regardless of its location⁴, every jail regulates the timely monitoring of prisoners through a system known as the *gunti*. Within the confines of the prison, there are two clearly

⁴ Ethnographic literature reveals that outside India also the system of head count is also there.

defined and different temporal dimensions: one perceived by the prison administration and staff, and another perceived by the prisoners (Capto-Levino, 2015, p. 189). The staff has the ability to maintain a linear progression of time, typified by a well-structured sequence of past, present, and future, moving along a linear continuum divided into equal intervals (Calkins, 1970, p. 489). From the perspective of the prisoner, time within the institution remains constant and does not vary in the same manner as it does in the outside world. In Assam's jails, *gunti* is done three times a day, starting at 5:30 in the morning, followed by another session at 11 o'clock, and last one of the day happens after sunset, after which the women should remain inside their dormitories. The *female warder* on duty was responsible for managing the *gunti* in the women ward and was helped by the *mate*. After each *Gunti*, the warder notifies the assistant jailor, who thereafter informs the jailor. The number of prisoners must match the lock-up register. *Gunti*, deployed periodically, functions as the authority's method for regulating time. It ensures continuous monitoring of a prisoner's behaviour and stops them from participating in any unlawful activities for a prolonged duration (Bandyopadhyay, 2010, p. 90). A women prisoner described her first experience with the practice of *gunti* as follows:

“The very next day of my admission to prison, I heard whistle around me, and a loud and sharp voice saying...*oi uth uth...Kumbhakarni bilak...*(Wake up, wake up). She was the *mate*, going to the room and waking up the women. I woke up, followed the other women of my room outside, I asked another woman, what was happening, she replied, *Amar hisab koribo, aru hodai ratipuwa eneke amar din arambho hoi...*(They will count us, and every morning our day starts with this). I couldn't make out what the time was, as it was a cold January morning, and was still dark. Then outside the ward in the courtyard, I found the women making a line to be counted by the warder on duty. All lined up like dead beings... motionless and still...and for me, the added element of fear was also there, as it was my first time... then I saw a *female warder* with a stick and a copy in her hand moving towards us, with the stick touching any part of the body she wished counted us and checked against the total in the copy. When my turn came, she swanked me with her stick on my back and said, *O toi notun joni no*, with a quirky smile...(O!!you are the new one). Then after the *gunti* was over, the warder shouted and said to the *mate*, Rani, *notun jonik bujai dib gunti dia r kotha*(Make the new one understand about *gunti*). As the day before I arrived after the evening *gunti*, so nobody told me about it, then the *mate* came and told about it, she added, *Dintut tini bar eneke gunti hobo, ratipuwa, duporia aru abeli...monot rakhibi...*(In a day three times *gunti* happens, morning, afternoon and evening, so keep it in mind.”

Indeed, the *gunti* served as a time marker for the women. The narrative also illustrates that *gunti* is not merely a head count, but rather a process by which the woman is dehumanised and reduced to a simple numerical value. This process serves as a clear indication of the erosion of her sense of self-worth (Bandyopadhyay, 2010). The narrative, together with my personal observation of the *gunti*, suggests that the act of *gunti* may have a restrictive effect on time. However, the manner in which it is executed by those in power results in the degrading of one's own identity. During my visits to both jails, I have observed that when I arrive before the midday *gunti*, everything else comes to a halt during this time. Every woman was mandated to be present in a specified area within the ward, and instances of women defying these regulations were infrequent. All of them became genuine. Upon discovering an error, a recounting process ensued, causing tension among the women until the accurate total was determined. Bandyopadhyay's (2010) ethnography also portrays similar scenes that revolve around *gunti*. Her ethnography indicated that *gunti* was associated with efficiency and orderliness. A spirit of rivalry existed between male and female wards regarding *gunti*. However, I did not see any competition between male and female wards in my research sites. An observation was made regarding the *gunti*, noting the presence of a hierarchical structure within the ward. The senior women positioned themselves in the forefront while queuing for *gunti*, while the recently admitted ones remained at the back. Even the elderly women, the ones with significant influence, positioned themselves at the forefront. Furthermore, the warders exhibited leniency towards certain prisoners, particularly those who had significant influence, while displaying excessive severity towards newly arrived ones.

3.4 Prisons being extra total for the women

This section, discusses the ways in which prison imposes extra discipline, and control upon the women. Time in prison is used as an additional form of punishment for women in conjunction with space resulting in a scarcity of space and an abundance of time. To mention, the spatial segregation in the jails of Assam⁵ leaves women prisoners with very small spaces to live in and results in spatial restrictions for the women prisoners. In the

⁵ As in part 11, Chapter V, The Assam Prison Manual States,

In a prison containing female as well as male prisoners, the female shall be imprisoned in separate buildings or separate parts of the same building in such a manner as to prevent their seeing or conversing or holding any intercourse with the male prisoners (Assam Prison manual, 1986, 42)

jails under study, the spaces that are considered ‘common’ areas of the prison effectively go from being “no man’s land” to “man’s land” as whatever is not the female section is ‘the male section’ (Sahni, 1988, p.325 cited in Modak,2022, p.182). Exploring the prison space or utilizing it, in a sense they do time, negating the corporeal nature of prison time. In contrast, the women are kept to their wards throughout the entire term in the prison, which prevents them from having the opportunity to access other areas of the prison. When compared to their male peers, this serves as an additional punishment for the women as the majority of their time is corporeal. In addition, this is a manifestation of the established notion that women in society do not have access to public spaces. There is frequently an unspoken etiquette that governs the areas that women are permitted to access and those that they are not permitted to access. When it comes to the public sphere, men have a greater degree of access than women do, to the majority of places and at any time of the day and night (Modak, 2022, p. 183). This disparity is reproduced within the confines of the jail by the restricted spatial access being granted to women. This is done in order to keep control over the movements of women for some women, rules get diverted. To mention in this instance in jail AS, during the days of my fieldwork, a woman prisoner was there who was from an economically and socially well-off background. On the first few days of my field work, I thought her to be a prison staff, as I always saw her sitting in the front office of the jail, but never saw her inside the ward, and also I didn’t get any opportunity to interview her. It was only later that I came to know, that she was an undertrial prisoner at that time. She was there till a month of my fieldwork, after that she got bail. Also from the women I came to know that she was not the first case, often such instances happen within the jail. This instance reflects the fact that those who possess social and economic capital have the power to negotiate with those in authority.

Coming again to space as a mechanism of control within the prison, Men, being allowed to work in administrative offices as ‘writers’, get a certain sense of privilege and an opportunity to experience defiance of the principle of a total institution (Bandyopadhyay, 2010, p.83). In this regard, the *mate* of jail KG stated, "We are not permitted to visit the temple, kitchen, canteen, or work in the prison farm or office. In fact, a few months ago, Manisha, who was 12th passed, asked me to talk to Superintendent Sir about the possibility of her working in the main office. However, he denied her request and stated that it is not possible for her to do so due to security concerns". One similar narrative regarding mobility of the women within the prison

was expressed by Puni, of jail AS, whose three-year-old son⁶ stayed with her. She said in a choked voice, “ *Mere teen saal ke bacche ka kya galti hain...usko bhi hamare ey gate ke bahar nikalne nehi dete, bolne se bolte hain ey niyam ke bahar hain* (What is the mistake of my three-year-old son, he is also not allowed to step outside our gate, whenever I request they say it is not the rule)”

The words "rule" and "security" are commonly used by the prison administration as justification for their refusal to grant any permission to the women prisoners. However, the regulations that the authority discusses frequently operate in a vacuum. For example, the Assam Jail Manual (1987) does not mention anywhere that the children of the prisoners would not be permitted to access any of the prison spaces other than the female ward. The practice of imposing space limits on children is a cruel and inhumane act on the part of those in control. The present study, on the other hand, discovered that women prisoners did not dispute the authority of the jail in any way, and that they did not query the "no" that was given by the authority. It was because the majority of the women who are imprisoned in both jails are economically disadvantaged, lack formal education, and originate from marginalized areas of society. As a result, they are not aware of the prison manual, and even if they are made aware of it, they do not have the courage to challenge the authority because they are afraid of some unforeseeable problems.

The prison not only controls the movements of the women but power is exercised over the body of the women directly. Though the present system of punishment does not make use of violent or bloody punishment, it is always the body that is at issue – the body and its forces, its utility and docility, their distribution and their submission (Caputo-Levine, 2015). As prisons in a way function in extra total way for the women controlling the way they dress, how they eat, how they talk, to whom they talk, and what they talk. It is obvious that time and imprisonment are inextricably linked within the confines of the jail, as "time is the basic structuring dimension of prison life" (Sparks et al. 1996, page 350, as cited in Cope 2003, page 158). On the other hand, power serves as a tactic for women, and all of these things operate inside the framework of control mechanisms within an institution as a whole. The Panoptic philosophy does not actually function very well in terms of

⁶ The supreme court of India in the RD Upadhyay versus the State of Andhra Pradesh case of 2006, directed all States and Union Territories to let children live with their mothers till they turned six. Along with Puni's son, who was lodged in jail AS, two twin boys, four and half years old, were there in jail KG with their mother.

managing the moral behaviour of women. Prison even goes so far as to regulate the body. In this regard, to quote Puni words again,

“Every time we come from court dates or hospital visits, before entering the primary gate⁷, the women start search operations on our body, putting their hands wherever they wish, even if we are on our periods, with a stick search within our lower undergarments...” Puni was referring to how the women *female warders* engage in search operations on their bodies. She went on to say, “Even my child is not spared, *Baideu..* once he was not well, I came from the hospital, he was high with a fever, along with my search, the warder opened his clothes...he was shivering, but that beast didn't care...”

A significant number of the women expressed their concerns about the challenges they encountered during the body drills, which are commonly referred to as a pat-down search, strip search, and cavity search in the prison system. According to Carlen (1983), these occurrences were referred to as "intimate intrusions." Specifically, she brought attention to the fact that women are subjected to abuse on a daily basis within the confines of the prison, where they are engaged in a never-ending struggle to preserve their dignity in the face of threats made by the staff (ibid, section 83). Women had a tough time dealing with the occasional forced inspections of their bodies, which occurred virtually every time. In reference to the practice of body searches, Niharika, a respondent commented.

"It is certainly not just about security; it is making you feel as though you have no rights, which is why they establish their right from the very beginning, when we first come, and then on whenever they wish".

The dehumanisation that Niharika and several other women in the jail suffered as a result of body searches is evidence of the humiliating character of body searches and their capacity to render women into nameless objects that are waiting to be processed by the prison. The prison everyday in a sense was imprinted on the body (Foucault, 1978). To some extent, the boundaries of the body are not respected. Another form of inspection that came to light was that the women said during the monthly periods, in regard to the availability of sanitary napkins. Quoting Priya, a respondent...

⁷ The last gate that demarcates the prison main office from the actual prison compound.

“A few months ago, I had an overflow, and the cycle lasted ten to eleven days, I asked for extra napkins, as the clothes didn’t work for me, but the warder didn’t believe me, thought that I was lying about it, and I was asking so that I can sell the extra napkins...She assigned the *mate* to accompany me to the bathroom in order to determine whether or not I was actually having the problem of severe flow...”

In fact, most of the women who were in the menstrual age said about this problem. This also falls within the larger purview of the menstrual health of the women. Though most State Prison Manuals mention about provision of sanitary pads, the Assam Prison Manual do not mention that. Access to sanitary products and safe and dignified means of managing menstrual hygiene are fundamental needs of every woman who mensurates, including those in prison.

Nikita, a woman expressed.

“Whenever any us of goes to a court date or has a *mulakat* or attend a phone call, the warder on duty inspects us from top to bottom so that our whole body is properly covered, especially the belly button should not be out, those of us who wear *mekhela sadar* or *saree* , we are asked to wear above the belly button, if the warders find anyone not following this, then slangs pour like anything from their mouth”. Mallika, a young girl hardly 20 years said in this connection,

“ *Eyate ami biya nohuwa kijonir obostha besi beya, ami nijoke bhalke rakhibo nuwaru, bidhoba maiki manuh nisina thakiba lage, jodi kiba kharu ba kiba pindha dekhe, warder baideu bure koi mota potabole style koriso niki* ” (Here the condition of our unmarried ones are worse, we cannot keep ourselves in a good way, we have to stay like Widows, if we are seen wearing any bangles or any other such thing, the warder says we are doing style to lure man).”

Again to mention if for any reason a prisoner enters any of the officer’s room in the front office, they open their footwear, for women along with opening the footwear, they need to cover their head with the end of the *mekhela sador or saree* or *dupatta*, this I noticed in both the jails, and when I asked an assistant jailor about this practice he said, “ It is the culture of all jails to maintain discipline and show respect to the authority”, no authority of either jail knows from when this practice started. A woman said in this regard, “On my first day itself, the warder told me about this rule, and *Baideu* whatever they say, we obey, we cannot ask why?” When it comes to segregating women and forcing them to submit themselves in front of the authorities, the practices within the prison go beyond what is legally

permissible. Not only do they signify a practice of exercising dominance and control over women, but they also serve to reinforce gender roles. The body of the women prisoner's becomes a site of cultural control (Bordo, 1989). In a society in which a woman's body is designed to symbolically symbolize a community, the control of women is considered as an essential responsibility. This control encompasses not only the control of women as prisoners, but also the control of women as representations of the value of honour (Gangoli, 2007, p.48). Again to put another, “ *Mur naam tu je Protima hoi, moi pahoriu jau maje maje, eyat jeneke mon jai teneke mate...kisuman naam hunile tu apunar laaz lagibo... apuni lahe lahe gom pabo...*(That my name is Protima, I forget often, here whatever one wish one calls that way, if you hear certain names, you will feel embarrassed, slowly you will come to know)”

As mentioned by Protima about nick names, these were associated with the women's crime, physical characteristics, and so on. The nicknames which I often heard were like... “ *Suruni*” (thief), “ *Koli*”(meaning dark complexion), “ *Giriyek-Mora joni*” (Husband killer), “ *Kidnapper*”, “ *Gandi aurat*” (dirty woman) etc

These names were just to disgrace and shame each other. Even the authority used to address the women by these names. As indicated by the narratives, the experience of humiliation commences with the admission process and persists as a recurring process throughout the duration of the jail term.

According to Firestone (1970), it appeared that the organic distinctions that exist within men and women were the causes of the subjugation that women experienced in the jail. As a result, these practises illustrate how the women prisoners are analyzed and recreated within the context of criminal discourses and practises "to the point of debilitation." According to Carlen (1983,p. 111), women who are imprisoned are "contradictorily defined as being: both within and without sociability; both within and without femininity". This is the fate that they are destined to experience.

3.4.1 Denial of access to resources

“ *Johor dileu gom napam, amar je obostha tatke rastar kukor gitar obostha bhal, besikoi eta jolokia bao lop nimokh u khujibo nuwaru*” (We will not know if we are given poison also, the condition of the street dogs is better than us, and we cannot ask for an extra chilli or salt)”

Expressed Niharika

Within the confines of prison, food adheres to the institutional framework of punishment. The sort of food offered to prisoners and the regular meal times are determined by the criminal justice system and the institutional structures in jail. According to Coveney (2000), the state has the authority to manage the lives of imprisoned individuals and restrict their choices and access to food, hence influencing the concerns and limitations related to food. Description of food by using animal metaphors, like Niharika was common among most of the women and it also implies the quality of food given to the women. Currently, meals are provided at three specific times in the field sites: breakfast is served at 6 o'clock in the morning, lunch at 11 o'clock, and dinner at 4 in the evening. A woman Runumi said in this regard

, “ At first, when I came, I was shocked!!...How can I eat at these odd times, but now I am used to it...and If I store it to eat later, food becomes cold, so no way...she sighs!!”. This predicament leads to a sigh of disappointment from her. The women expressed that the fixed meal times and inability to satisfy their food needs resulted in persistent hunger, leading to weight loss during their stay in prison. The majority of women also associated their menstrual health with the substandard quality of food provided in the prison. Fatima said, “ *Eyat ohar pisot lahe lahe Mahikia huwar dinketa bohut kosto pau, pet bikhai, aru homoyot u nohoi, din bahe*”(After I came here slowly I got problem in my monthly menstrual cycles, stomach aches, the cycles get delayed).” Not only Fatima many others related the poor diet with their menstrual health.

Food as a product is deliberately created and serves as a clear representation of the authority of the Prison/State (Bosworth, 2003; Garland, 1990; Rhodes, 2001). Thus Food serves as a mechanism by which the prison system asserts and manifests its authority over the imprisoned individual .While food serves as a means of control for the prisoners, the prison authorities further exerts control, discipline, and power over the women prisoners by manipulating their access to food. Despite food being a control mechanism for the prisoners, the prison authority infuses some added elements of control, discipline, and power over the women prisoners through food. The power of the Prison is manifested by making women passive recipients of food as the above narratives reflect. In both, Jails AS and KG, women have no role in cooking meals and were put at the receiving end only. The responsibility of preparing food for all prisoners was put on men. This is contrary to the Indian tradition, where women have been linked to domestic work, especially cooking. The women often spoke about how they used to manage the kitchens at home, the

transition which happened for the women from active agents in the kitchen to this passivity, they found it difficult to adjust. It acted in a sense denial of emotion to them, as most of the women had an emotional attachment with it.

Hakima expressed, “*Adha jibon tu khana bonai par korilu...aru eyat etia eneke ekdom bhi mon nelage, hat bhori nothoka manush jen lage*” (*Half of my life went in the kitchen, now I don't like in this way, I feel I don't have hands and feet*).”

Prior to their imprisonment, many women expressed their autonomy and control by actively participating in domestic cooking activities. The overall institution of prison, with its practise of making women passive recipients of food, causes them to disconnect from their sense of self and suppress their ability to take action. The women also showed how a lack of knowledge about the cooking of food led to varying assumptions about its preparations and consequent quality. Amid a climate of mistrust, apprehensions about the potential negative impact of food on their health in prison were heightened due to suspicions over the quality of ingredients and the cooking methods employed. The deprivation of the ability to consume desired food led to a strong aversion towards eating. The majority of women prisoners expressed that the quality of the food directly influenced their poor health and associated nutritious food with favourable health results, and conversely, the women who reported a decline in their health attributed it to the use of unhealthy food as a major factor.

Within the jail system, cooking is seen as a component of prison labour⁸, for which men receive remuneration. This approach is consistent with the standard that is prevalent in society, which is that cooking is primarily considered to be a male occupation. When questioned about this matter, the Superintendent of one of the jails said, “It is not about cooking for two or three people, it's about cooking for hundreds or more, it is not possible for women to manage. It is also the question of security, as the kitchen is in the common premise of the jail, where women have to come out of their wards”. Women prisoners were not only excluded from the cooking process, but they also did not have access to the kitchen in any of the two prisons. On the other hand, all male, regardless of whether they were employed as food labourers or not, were permitted to visit the kitchen. It was a mystery to the women

⁸ As mentioned in chapter xxvii of the Assam jail manual (1987) the object of prison labor is the reformation of the prisoner. But nowhere in the manual, it is mentioned as such that men can only be appointed as cooks

as to where their food was being cooked and how it was being prepared. At the same time, it reflects the cultural connotation that menstruation is associated with filth and impureness.

Another important aspect to mention, where prison acts partially, is the regarding the provision of free legal aid⁹. A significant number of women were uninformed about the availability of such assistance. Furthermore, the jail authority does not contribute to facilitating this service. During my field visits, I saw that male prisoners received court visits frequently, whereas women prisoners had significantly less visits. According to the regulations stated in the Assam Jail Manual of 1987, it is required that undertrial prisoners irrespective of male or female are brought before the court every 15 days for the purpose of remand. If undertrial prisoners are wrongfully detained, the Superintendent of Jail should promptly report the issue to the district magistrate or the session judge. If the matter remains unresolved, it should be escalated to the Inspector General of Prisoners to ensure swift delivery of justice(Borah, 2022, p.6). However, this regulation was not adhered to rigorously in the case of the women. During my inquiry about the high number of imprisoned women awaiting trial and the lack of expedited legal proceedings, the Superintendent of a prison explained that on a daily basis, 20-25 undertrial prisoners need to be transported to the court for trial. However, due to a shortage of police escorts, we are unable to bring them to court. It is evident that sending women is a highly risky endeavour, unless adequate security measures are in place. However, I was unable to comprehend his use of the term "risk," given I encountered no cases of women attempting to escape in any of the prisons.

3.5 The *Mulakats*

Within the context of the terminology used in jails, the organisational practise of prisoners interacting with members of their families is referred to as *Mulakats* but in the jail manual it is mentioned as interview¹⁰ During the *mulakats*, which took place in the *mulakat* hall,

⁹ In chapter XVI of the Model Prison Manual (2016) in clause (16) states, ‘Article 39 A of the constitution of India provides for free legal aid, to the poor and weaker sections of the society and ensures justice for all. Clause 16.03 also confirms, ‘the constitution of a State Legal Service Authority in every State and District Legal Service authority in the District to give effect to the policies and directions and to provide free legal did services to the people’, NCRB,2016.

¹⁰ Section 40 of the Prisons Act 1894 requires that due provision shall be made for the admission into a jail of persons with whom prisoners may desire to communicate...See Chapter XXV, page,305, Assam Jail Manual 1987.

the guests and the prisoners communicated with one another through a barricade made of wire. As the majority of the women excitedly awaited for it. I saw that if a *mulakat* call was made for the women, I would see a spark in their faces, they would frequently say to me in a joyful tone.

“*Baideu, aji ghoror manuh ahibo*” (Today family members will come). Not only to me, but to their peers also they keep on saying about their arrival, by doing so the women in a way try to assert that they are still supported by the family members. As a woman who has frequent family visit, occupies a place higher within the ward than the other women. In most cases, the happiness of the women in relation to *mulakat* was very transitory in nature, as often after *mulakats* women came back with sad or teary eyes. Some often used to murmur in anger about the authority. Sharing Sheila’s instance of *mulakat*,

“Only a few minutes...in there also they create so many issues. On the last visit, my son and mother came, traveling for almost three hours to meet me and then waiting under the scorching sun in the long queue to meet, and that too only for a few minutes...how can they be so cruel...” When it came to the members of the family, the *mulakats* were a burden in their own right.

Heena expressed in a rage of anger, “*Aru he je checking kore Baideu...suwali dekhile besi checking kori dekhai...mur suwali joni ahibo beya puwa hol...laaz pai ...aru guard bure bule jiti kotha koi...Koidi ma’r¹¹ ok log koriboli ahili....* (Those checking *Baideu* when they see a girl they do more, my daughter don’t like to visit me for all these, she feels ashamed, moreover the guards also pass out comments, that you came to meet your prisoner mother).”

The *mulakats* was a toll in one kind for the family members too. I noticed during my visits, how people used to stand in long ques, some with babies clasping in their arms, others half seated, standing for long hours in the queue for such a meeting which lasted hardly for few minutes. The women’s right to a *mulakat* was an aspect that was open to constant disciplining again. It was obvious for the women who had minor children outside, would have almost regular weekly visits, but the staff created some unnecessary rules in it. Regarding the rules concerning it in actual, an undertrial prisoner is entitled to *mulakats* at intervals of every seven days while a convict can have *mulakats* at intervals of a fortnight.

Under section 41 the Jailor may demand the name and address of any visitor to a prisoner, and may search any visitor if he has any ground for suspicion. The Jailor may deny admission to any visitor who refuses to permit himself to be searched, entering the grounds of his action in such record as the Local Government may direct(*ibid*, 305)

¹¹ Meaning mother in Assamese.

The authority hardly followed it, they treated *mulakats* as privileges, rather than as women's right. The woman said that the male prisoners had an advantage in the process of the *mulakats* and their scheduled visits never get cancelled. In this regard, Juri stated, "Only in a month once we can meet our family members, whereas if the males have any visitors, they are given to meet, actually the authority somewhere has some fear for the males. During the five to ten minutes visit, we don't have any privacy, anytime the warder stands beside us, also the room becomes so chaotic, we have to scream to be heard over the din of voices of other visitors...*Hekarone amak log koribole ghoror manuh oha bad ey dile...mur tu ebosore hob ghoror manuh nedekha...*(That's why family members have stopped visiting us, It's been one year, that I have not seen my family members)" she weeps...A Jailor of one of the jail puts in connection with the *mulakats* of the women,

"The loud cries, unnecessary shouts, emotional dramas...and what not during their *mulakats*... the whole environment becomes chaotic, they make us villain as if we are separating them from their family members...What can we do? We are only doing our duties...for their own fault they are here..."

The hurdles in the *mulakat* process in a way thus tries to emotionally torture the women and create barriers between them and their family members, which hurdles in the re-entry process after release.



Figure 3.1: Memory drawing of a *Mulakaat* Scene depicting the family members waiting in queue to meet the women prisoners.

Source: Field work

3.6 Conclusion

The instances of shame and fear that are voiced among the women, particularly while they are entering the prison, is a reflection of the fact that the women themselves were not prepared to embrace their life within the prison. In some way, they have been conditioned to believe that jails are places reserved for men, and that, in some way, whatever they did was not appropriate for a woman. The majority of women have voiced their pain in being separated from their children, and they are left susceptible with the emotional trauma of being separated from their family members, particularly their children. Despite the fact that *gunti* is a reflection of the effects that jail time has on women, the seriousness that the women have attached to *gunti* is a reflection of the inherent sincerity that exists among women in regard to their obligations, which is also mirrored in the prison. On the part of the jail, the operation of restricted space, the denial of required resources, and the restriction in regard to *Mulakats* and negligence in regard to the legal aid facilities are all indications that the prison as an institution as a whole behaves in a manner that is somewhat supportive of male than women prisoners. In prison, the rule has a "ideal" component for all of the prisoners, but for the women prisoners, it acts as a heuristic principle as part of the prison every day, which allows the investigator to test its applicability to purposive action (Weber, 1949).

It is possible to conclude that the Panopticon ideology can be interpreted as a cruel cage and a laboratory of power when applied to the situation of the women prisoners. It is clear that Foucault's definition of discipline¹² is applicable to the situation involving women. The women's behaviour within the prison was regulated through the use of control and discipline, which functioned as power mechanisms. This was accomplished through the strategic organisation of space and time. Instead of stemming from appropriation, power emerges as a technique through one's demeanor, actions, strategies, procedures, and overall functioning (Haney, 2010). All of these things operate within the framework of control and disciplinary mechanisms inside a total institution. According to Foucault (1978), the

¹² The definition is stated in Chapter I in the subsection 1.2.1

control and power that are exercised over women do not in any way have the intention of producing a submissive entity that is economically beneficial and politically submissive. Logically speaking, being submissive does not mean that one is subjected to dominance and torture, which is something that occurs with the women prisoners. At the same time, it is a reference to the subject's tractability, manageability, and predictable characteristics. However, the whole purpose of docility becomes questionable when it is applied to the situation of women who are imprisoned in Assam. Control and discipline are used to develop subjects who are dominated. Prison power operates over the bodies of the women both in a metaphorical as well as biological sense. The bodies of women prisoners are marked and disfigured by the jail, where the combination of material deprivation, shame and control exerted on their bodies serves as a means of socializing and regulating bodies within the larger society. In this context mention may be made of Ervand (Abrahamian¹³ (1999) who conducted an ethnographic study in an Iranian prison. Abrahamian argues that the notion of the Iranian prison system serving as a disciplinary mechanism is not only theoretically sound but lacks empirical substantiation. Torture is employed as a kind of power-oriented punishment inside the Iranian prison system, a situation that bears resemblance to the circumstances faced by female prisoners in Assam.. Not only does the prison system operate to develop bodies that are disciplined, but it also functions to produce bodies that are dominated. In this system, punishment is a matter of time, location, socialisations, the body, and emotions. In addition to this, the experiences of the women demonstrated how women appear to be discordant with the patriarchal society of the jail system. According to Bandyopadhyay and Mehta (2022), the practices of the prisons do not simply treat the women as criminals who have violated the legal norms; rather, they treat them as women who have surpassed the moral norms and stepped out of their socially prescribed role. They are understood and punished by the criminal justice system as a danger to a culture resting on a foundation of inviolate male authority. The punishment of women can be seen as a result of cultural conceptions of deviance and conformity, gender, and punishment, all of which are characterised by paradox, irony, and contradiction

¹³ See Ervand Abrahamian's work *Tortured Confession: Prison and Public Recantations in Modern Iran*, New York: University of Columbia Press, 1999.

(Lempert, 2016, 24). Consequently, imprisonment that is effective for women possesses all of the oppressive organizational characteristics that are typical of male prisoners. At the same time, it is a type of punishment that is unique to women in the sense that it possesses oppressive characteristics that are not effective for male prisoners.

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